

Interview with **3**  
VIJAY PRASHAD



Hatred and Threat **12**  
to Communal Harmony  
in 2019 TEESTA SETALVAD



2019 Jan-Feb  
₹15

# STUDENT STRUGGLE

THE JOURNAL OF SFI

## A Nation in Battle

The  
Neo-liberal  
Challenges  
in Higher  
Education

R. Ramakumar



A close-up portrait of an older man with a mustache, smiling slightly. He is wearing a dark shirt. The background is a soft-focus green, suggesting foliage.

Adieu Dear  
Comrade

SIMON BRITTO RODRIGUES

27 MARCH 1954 - 31 DEC 2018



# STUDENT STRUGGLE

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What do we call a country with disproportions extreme in terms of unequal income distribution to dissimilar levels of social security? Anything but the “largest democracy of the world”. This has been the fate of this country. On the one side, we experience the worst levels of living & working conditions and on the other, we’ve been labelled citizens of the largest democracy. So what is this ‘democracy’ all about, if the lives of its people are not of primary importance to it?

The latest Oxfam report reveals that the top ten percent of India’s population holds 77.4% of its total national wealth, while the bottom 60% owns just 4.8% of it. Ambedkar dreamt of a democracy wherein its socio-economic structure would be guided by the ‘one man-one value’ principle. Where have we buried that dream?

Come see the streets! They’re filled with disquiet and fury out of feeling utterly betrayed, but most importantly, these streets are also filled with a will to fight back. Beyond any classification, these are the people of this country. A country which has been betrayed. If a nation is made of its people, here we have a nation fighting its own government that’s trying to attack its every step to progress.

From farmers, workers, teachers, students, youth, the jawans. Writers, civil rights activists, journalists, artists. Dalits, adivasis, women, and other minorities - all sections of the oppressed, have been registering their anger, and raising their fists for a better democracy to live in. Hatred can no longer be allowed to be the language of this nation. The people of India in unison are seeking answers from the ruling classes.

Students, one of the worst affected groups under this saffron regime, are also seeking solutions to the catastrophes we are subjected to as a country. After massive rallies of the country’s farmers and workers, we will witness its students hitting the streets of the national capital on February 18th & 19th with a slogan to ‘Save Education, Save Democracy, Save Nation’. Students from all over the country would march to the Parliament with a charge sheet against the Modi Government which goes on to launch fresh attacks on the country’s future generation, its students.

We cherish the idea of India, but an India defined by ‘We, the People’, and declare our resolution to keep up the fight for it.



# Vijay Prashad Interview

## ‘Researches are meant to contribute for emancipation’

Nitheesh Narayanan

Prof. Vijay Prashad have been active, in different roles, in the Marxists intelligentsia over the last three decades. He contributed immensely as a writer, journalist, academic, activists and builder of institutions for the cause of emancipation of the people. He started his engagement with Marxian philosophy and politics as a student of history, then travelled across the world as a journalist, continued teaching in different universities in the world and took charge of the chief editor of LeftWord Books and recently played a leading role in setting up the ‘Tri-continental: Institute for Social Research’ and steering it as the executive director. He was selected for the Frantz Fanon Award for Outstanding Achievements, this year. Author of 25 books, including Arab Spring, Libyan Winter, Uncle Swami: South Asians in America Today, The Darker Nations: A People’s History of the Third World, The Poorer Nations: A Possible History of the Global South, No Free Left: The Futures of Indian Communism etc. Through his continues writings and reports, publishes in various journals, news papers, online portals and magazines he introduces the developments from across the nations and also about the people’s movement. Vijay Prashad in conversation with Nitheesh Narayanan, the editor of student struggle.



Vijay Prashad

## Dalit History

**You were a student of history, then began to work as a journalist from very young age, long years in teaching in international relations, then to publishing, now you have set up a research institute... Quite amazing with the kind of diverse engagements you had so far. Let us begin with the way how you see these developments.**

Life rarely follows a predictable pattern. I was very marked by the killing in Delhi of over 3,000 Sikhs in a few days – this was in 1984. That disturbed me, a young person then of 17. One question came to me then and remained with me for a long time: why do oppressed people kill other oppressed people on behalf of the ruling class? I wanted to study that question in one way or another. I worked as journalist, trying to track various developments in late Nehruvian India, when the opportunity came to do a PhD. My PhD was on the Balmiki community, which was accused of being the perpetrators of the violence in 1984 – working for the Congress Party. My studies went backwards to the early 19th century, where I found the way in which this Dalit community was reduced to being sweepers by the British and then a hundred years later, this Dalit community lost its own religion to the forces of Hindutva. What became clear is that history must be show us how what appears clear in the present is not so clear in the past, that whatever problems exist now these are made by the development of human history and are not therefore intractable. They can be overcome. If history can slide to the bad side, then it can move – by human effort – to the good side. The new research institute – Tricontinental – hopes to help move the good side along.

**Why did Oxford University Press drop the plan to publish your book years back?**

I turned that PhD into a book and submitted it to many presses, each one rejected it. Cambridge University Press said that I was an ‘unreconstructed Marxist’. You have to understand that this was the early 1990s, with the USSR just collapsed and Marxism apparently was pushed by the ruling class as an out of date philosophy. This was one of the

first histories of a Dalit community. It could not find a publisher. My dear, dear friend at Oxford – Bela Malik – insisted that it be published and put her job on the line. That is how it saw the light of day, and then promptly went out of print and was kept out of print by Oxford. I now have the rights and we hope to bring out a free e-version.

**Not many Marxists in India have specifically studied caste. But you did. You have also written different articles and academic papers in the same topic in early 90s. But it seems you stopped writing on the topic you researched for your doctoral degree, that too at a time class caste debate is going on.**

Actually, I was very interested in the debate around caste and class that took place in the 1970s between EMS, BTR, Gail Omvedt and others (including the liberal writers such as Andre Beteille and MN Srinivas). This debate was about the conceptual landscape of caste and class but also about the role of caste in Indian history. Most of the debate was very abstract and very combative. I was interested in the nuances of history and the way in which caste was enfolded by class, how the question of property ran through and solidified the caste hierarchies. BTR’s essay from 1979 in EPW was called ‘Caste, Class and Property Relation’ – leading one to see how it is property relations, the basis of capitalism, that reformed caste into the 19th century and onwards. So, that earlier debate really interested me. I also found that there were few monographic histories of Dalit communities – sporadic references to history, surely, but nothing complete. I was already interested in the Balmiki community for reasons I have pointed out, so this gave me an opportunity to study the community’s long history. I spent years traveling across Punjab, Haryana, western UP and Delhi – creating an archive, building a narrative through reading documents kept by families and by the government as well as by interviewing thousands of people. I have boxes and boxes of material that I was not able to use in the dissertation and the book. Why I stopped writing about the subject is mainly biographical. My book was roundly attacked when it came out by the leading anthropologists of the previous generation – all

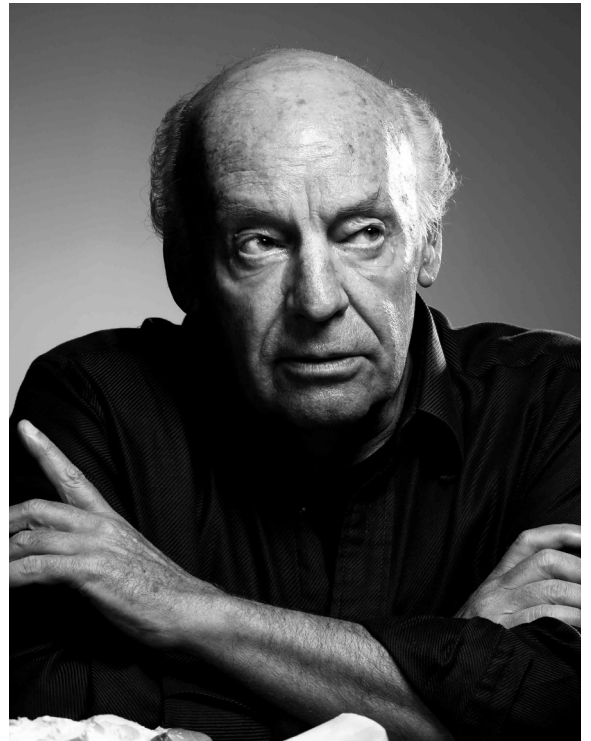
saying that my method was flawed or that the Marxism had twisted my views. I found myself a bit paralyzed by the attack (and by the difficulty in getting the book published). The personal toll was exacting. I tried to edit a book on Dalit history with scholars from JNU and Hyderabad and elsewhere, but that went nowhere. Most of the scholars I interacted with had moved in the direction of identity politics and some had even come to terms with liberalisation. It was not our historical imagination that separated us or our commitment to Dalit emancipation, but our understanding of the role of capitalism in the reproduction of caste. This was a central disagreement. I wrote a series of articles about this in various publications, mainly as book reviews and so on. But it ran out of steam.

### Journalism

You are writing frequently in *Frontline*, weekly reports for the Independent Media Institute and *BirGün*, regularly in *Hindu*, beyond these your writings and reports publish in many other online and print media. It seems you are writing everyday which goes for publishing. How do you manage such a regular pattern of writing?

There is so much to say, so many stories to recount. Eduardo Galeano – my guru – used to say that the world is not made of atoms, but of stories. I agree with him. In this adverse environment, the voices of the working-class and peasantry, the science of the exploited classes (Marxism) and so on barely get a fair hearing. Equally, our understanding of the balance of forces in the world, our sense of how to understand globalization – all this is off the table. It seems to me that we have to be engaged in the battle of ideas, in the fight over how to interpret reality. This is what motivates me. It is my small contribution to our large and strong movement. I keep a notebook with me at all times and fill it with observations, lines from things I'm reading and arguments with reality. This habit has been with me since I was very young. I highly recommend it for building a memory and for improving one's writing.

**‘My guru used to say that the world is not made of atoms, but of stories. I agree with him.’**



*Eduardo Galeano*



**You have observed keenly the Arab Spring and the events culminated to it. How did such a political and social condition occur and how did it develop?**

I've been covering West Asia and North Africa for almost twenty years. First did a story on Turkey's attack on Kurdish guerrilla positions in 1996. Over this period, I have come to understand a few of the dynamics that drive history in the region. The most important factor in the region is the role of imperialism linked to both the geographical centrality of this region and to oil. If West Asia were far from Europe and if it had no oil, it would not face as much scrutiny as it did. No surprise that the US overthrew two popular-nationalist governments in West Asia (Iran, 1953) and Central America (Guatemala, 1954) – both countries trying to build an independent path right on the doorstep of Europe and the United States. The overarching imperialist logic denied the region any popular breakthrough of real depth. Arab nationalism was suffocated quickly so that it became merely a one-party state that used the rhetoric of nationalism. There was no dynamic for the emancipation of the people. Monarchies were protected by the United States and its allies. The one major challenge in the region came from the Iranian Revolution of 1979. Since then, two main dynamics have played out – first, the struggle between the potential of a republican Islam (as seen in Iran – an Islamic Republic, not an Islamic Monarchy) and the monarchies of the Gulf region, a conflict that has mutated into a Shia-Sunni dispute even though it is more a political contest; second, the struggle between the people and their governments, whether the one-party republics or the monarchies. Both these dynamics unfolded in 2011 in the Arab Spring. People rose up – as they did in Tunisia and Egypt – to overthrow unpopular one-party states – and the imperialist and inter-state conflict heated up, killing off the popular uprisings in war and repression. The idea of the Arab Spring remains. But the people are exhausted. It was not able to become a world-historical event.

**You have written extensively on military conflicts and wars. You have also been in battlefield many**

**times, including in Syria. What have been your experiences in the battlefield? What is the political economy of war?**

I am experienced enough to know two things about war. First, that you can learn more from outside the battlefield than inside the conflict. Conflict zones are themselves very confusing and you generally start to imagine that what your side is telling you is true. After all, your own well-being is wrapped up in their fortunes. It is hard to have a 'balanced' attitude in a war zone. Linked to this, a war zone is useful to gauge the morale of the troops but little else. Second, that you should not take unnecessary risks. There is no valor in dying in battle, as far as I am concerned. Wars are horrible. They are to be avoided. But, as you note, there is a political economy of war. Arms dealers make enormous profits selling weapons, and then the hoard of weapons encourages the military solution. So, one has to point one's finger firmly at the merchants of death. What is happening Yemen today, for instance, is a grand war crime – with the arms dealers fully implicated in it.

**How do you see the emergence of political Islam in global level? Does Political Islam poses a challenge to imperialism? In India, the political Islamists could be seen speaking on social justice and projecting them as the natural ally of Dalit-Bahujan. Samir Amin had been a strong critique of political Islam and exposed the bogus slogan of social justice that they raise. How do you see this?**

To my mind, we have to clear about the term 'political Islam'. We have to be clear that we are not talking about the religion of Islam, which is a diverse belief system. We are also not talking about Muslims in politics or about Muslim political parties per se (we might not like to see religion in politics, but its presence is a reality for now). What we are talking about is a specific tendency that goes back to the formation of the Muslim Brotherhood in 1928, which then – like the RSS in India – created a cadre to organise the lower middle class and professional middle class across the Middle East and elsewhere. This Brotherhood had a conciliato-

ry attitude towards imperialism, even collaborating with the imperialist against the Arab nationalists. Again, there are similarities with the RSS. This tendency of 'political Islam' is rooted in the long experience of the Muslim Brotherhood and its associated parties. They are eager to push a view of the world where they accommodate themselves to imperialism, they champion capitalism and they drive a politics of piety for the home (this is a deeply anti-woman agenda). It is never clear what they mean by 'social justice', which could be taken as the understanding that their domestic affairs must be off the radar of the state. But then, all kinds of horrible social traditions could be protected. One has to be clear about this. If social emancipation is not on the agenda, then how can you be for social justice? Samir Amin was right to be totally opposed to the Muslim Brotherhood's socially retrograde agenda, the mirror of the agenda of the RSS.

## **Latin America**

Latin America, with whatever limitations was projected as a centre of hope for all who wish to see an alternate model to the rigid neo-liberal regimes across the world. Many of its countries had elected leftists to the government in recent years. But there is news of coups and so on now? What actually was the Latin American model, if at all there is something? And what is happening with it now?

In 2006, Teo Ballve and I edited a book called *Dispatches from Latin America for LeftWord*. The subtitle of the book was *Experiments Against Neoliberalism*. The idea of 'experiments' is important here. I had been traveling and reporting from Latin America from the 1990s. I had seen the aftermath of the military dictatorships and the way in which the new democracies turned to full-scale neoliberalism. It is important to remember that the dictatorships executed the entire Left on the continent. Thirty thousand leftist activists were killed in Argentina from 1976 to 1983. Latin America had to re-invent its Left, now broken from earlier traditions and histories. This is an essential point. The new left that came forward was, in some places, cautious and in others bold depending on the power of the oligarchy, the grip of imperialism and the ability to mobilise the people. Venezuela and

Bolivia led the way in this new development. They recognised that it would not be enough to build socialism in one country. They went immediately to a regional project, Bolivarianism, and to confront imperialism. This is the core of their Latin American model – to come to power through the ballot box, to use the referendum to rewrite the constitution, to seize control of commodity exports and siphon more of that wealth into the governments, to push a strong welfare policy for the majority of the population, to drive a regional policy to break out of the global commodity chain and so on. But, imperialism is not easy to defeat. The death of Chavez was a blow. By dint of personality, he was able to push part of his agenda on less bold left movements (such as in Brazil and Argentina). After this death, the imperialists began to suffocate Venezuela as oil prices fell and the Bolivarian bloc fell apart. Right-wing governments returned to power and as coups overthrew parts of the left (in Honduras and – by a judicial coup – in Brazil). Currently, Latin America is under siege. The defence of Venezuela is a key element for all of us, just as the defence of Cuba remains an important part of our international politics.

## **How do you see the left in Latin America?**

As I said, the military dictatorships executed an entire generation of the Left, breaking its link to the past. The Left had to be reinvented. Only in some places such as Brazil was the Left able to survive the dictatorship, which is why the Workers' Party and the Movement for the Landless (MST) play such a key role in the continent. They remained alive because they went amongst the people during the dictatorship and built links through the provision of everyday services. They incubated their left-wing agenda in mass projects of various kinds. This left has now been in reformation over the past decades. It is remarkable how young the leaders are and how open they are to collaboration and to ideas. It is important to meet them with the same kind of enthusiasm. They are under attack now and require our solidarity.

## India

In India, the government is openly against migrants and minorities, with a witch hunt at work against journalists and activists, with the sabotaging of parliament and what not. There are similarities here between what is happening in India and the United States and elsewhere. What kind of 'democracy' is being produced?

Some years ago, Aijaz Ahmad wrote, 'every country gets the fascism its deserves'. In fact, that is very correct. Each country has its own problems, its own authoritarianism. But, the global situation also has a role in producing certain conditions for harmony across countries. I edited a book for LeftWord called Strongmen, which has essays on Modi, Trump, Duterte and Erdogan- leaders of India, the United States, the Philippines and Turkey. Each of these countries has a different history and a different structure. Yet, they have all turned to strongmen for rule. Each of the ruling cliques have driven policies of divisiveness – whether against minorities or drug dealers or migrants. Each of them is centred around a strongman who believes that he can squeeze the throat of his country and make it cough out jobs. There are no jobs, only asphyxiation.

Democracy, in our time, has taken on a very superficial meaning – elections, parliaments and a press. But, money has corrupted elections, the media has been eaten up by fear-mongering at the service of corporate houses and parliaments are gobbled up by millionaires and billionaires. House of the people? Not so. Plus, universities and other culture making institutions are under attack, so that they can also be shaped into places that reproduce ruling-class ideology rather than question it – not even necessarily attack ruling-class ideology. We have to see the attack on educational and cultural institutions in this light. It is not just to make them into profit-making entities. It is to silence dissent and to silence a better alternative to capitalism and imperialism. This is their democracy. Our idea of democracy is richer, infinitely better, with emancipation at its core. They dislike our ideas and want to penalize us by pointing to the worst aspects of the history of the USSR. We know that history. We don't need to be taught that by the ruling class. We

have drawn our lessons from the failure of emancipatory democracy in the USSR. We have enriched our Marxist assessment based on that experience, based on that experiment.

**You have been critical of the foreign policy of India. It has worsened under Modi, right?**

Yes, it has become worse under Modi. But Modi has merely made awful what was already bad. There is no qualitative change of foreign policy, only a quantitative worsening of the boot-licking attitude of the Indian ruling class. Prakash Karat had used the phrase 'subordinate ally' to describe the Indian ruling class attitude towards imperialism. This is a totally accurate phrase. The ruling class, since 1991 – namely, since liberalisation, has sought to become the subordinate ally of the imperialist forces. This is clear with the military and security arrangements with the US and with the trade relationships with the West; and it is clear with the normalisation of relations with Israel. India has slowly walked away from the Non-Aligned Movement and has bartered its independent foreign policy for a few crumbs. What this has meant is that India cannot have a healthy relationship with China and so, not with Pakistan either. The position of subordinate ally means India's tension with its neighbours will not lessen. Modi's party – the party of the RSS – has since independence sought better relations with imperialism (and Israel). The RSS's political bloc – whether the Jan Sangh or the BJP – is a pro-imperialist fraction of the Indian ruling class. This has been its view since the 1940s. No wonder that Modi, pickled in the RSS, is so eager to befriend Trump and Netanyahu – partly due to their joint anti-Muslim agenda but also due to their place in the imperialist alliance. The scandal over India's arms purchases needs to be in this discussion. India is the world's largest importer of arms. For a country where half the population goes to bed hungry at night, this is a real failure. The bourgeoisie has failed. The liberals have failed. Other views need to prevail.

**Then, what is an alternative idea of democracy?**

Democracy is not a static concept, one that is



formed and then lives in that way forever. We humans learn from our history, from our experiences. Our attempts to enlarge our ideas of democracy teaches us what is the correct way and what is the wrong way. We have to approach democracy in this way. Electoral democracy is only one way forward. It was an advance over monarchies. But it is not sufficient. Money has corrupted this democracy. To extricate money from democracy is our next challenge. This challenge is a direct assault on the ideas of private property and on the freedom of the rich to assert themselves in society through their wealth. Any challenge to money in politics should open the conversation towards socialism. Marxism and the Left.

**You have introduced, especially through many edited books, different Marxist scholars of various streams to the Indian readers. What are the notable developments you observe in Marxism in our current time?**

Lenin's line about the necessity to be creative within Marxism is to be thought about seriously. Marxism is not a religion. We do not have a set of beliefs that we have to memorise and then put into place. Marxism is an approach to the world, a world-view, a method, a set of principles to help guide us to understand a dialectically shifting set of social relations and the relations between humans and nature. We have to have an open mind to the developments within Marxism and in other scientific approaches to reality. Marx read enormous amounts of writing – not only people he agreed with, but those with him he vehemently disagreed. His *Theories of Surplus Value* is a terrific introduction to the way in which Marx read and engaged with those whom he did not agree – such as Adam Smith and David Ricardo. So, we need to read everything, understand everything. I think it is important for us to digest the fact that for the past century Marxists in the formerly colonised world have produced very important work about the post-colonial period. Samir Amin's work is one, and I am thinking of him only because of his recent death and because we – at LeftWord – have brought out a volume of his writings with an introduction by Aijaz Ahmad. Marx lived before the full

flow of high colonialism and before the emergence of 'globalisation'. Therefore, Marx's concepts are not able to fully grasp each aspect of the current situation. It is for this reason that we have to study the world – as Samir Amin did – through Marxist concepts and to enhance that conceptual universe. How do we understand automation today, for instance, or intellectual property rights? The writings of Marxists in different places, including in China, might help us develop new areas of thinking. That is the essence of Marxism – to be dialectical and creative.

Of course, there is a very turgid academic Marxism which is not always Marxist. The less said about that the better.

**What is happening with the anti-imperialist struggle today?**

Anti-imperialism is in a position of some disarray. First, the idea of imperialism is not wholly adopted by sections of the left, which have given up on this view and tended to the camp of a plague on all your houses. Belief that Russia and China are imperialists has produced some of this confusion. Russia and China are what I would call defensive powers. They do not have the kind of global military footprint of the US nor is their accumulation strategy designed around the use of extra-economic force. Second, the attack on countries like Iran and Venezuela produces the problem of isolation and ideological confusion. Because the US is attacking Turkey now, does that bring Turkey into the camp of the people? Not at all. Merely being an adversary of the US is not sufficient. A left anti-imperialism must attend to the domestic arrangements of a society, its own internal class configuration, its own agenda, its own project, its own struggles. Iran is an Islamic Republic. We defend Iran against imperialism, but we do not defend the arrangements of the Islamic Republic – with its social agenda that is against emancipation and with its economic policies that are basically neoliberal. So, we have to have distinctions here – not imagine that there is an imperialist camp and an anti-imperialist one. There is a broad feeling against imperialism and there are even powers that are against the United States for its imperialist policies, but that does not

make them part of the camp of anti-imperialism. We oppose the attack on Syria, but that does not make us into defenders of the internal arrangements in Syria. We have to be very clear about this – as Marxists.

Some leftists do not see this. They believe that because Iran's ruling elite is a theocracy, that they should not defend Iran. Or they see Venezuela and point out the errors of its government as a way to not support the Venezuelans. This is a politics of purity, one that does not grasp the balance of forces in the world and the need for policies that expand the power of the people.

**You maintain close relations with the organised left in different countries. Is the left well-organised at this time?**

The left around the world is in a position of weakness, but of regrouping. We suffered from the fall of the USSR – a major impediment to capitalism's aggression even if the USSR had its own problems. In the 1990s, Cuba's Fidel Castro used to say that we are being defeated ideologically because the bourgeois forces have taken over our ways of thinking, maligned our ideas and put their own ideas forward as the only ideas worth dealing with. Universities took this view. My own experience with my early work shows that this was the case – publishing houses and universities simply rejected Marxism without a discussion. Globalisation – namely the global commodity chain, the intellectual property regime – weakened unions and made nationalisation of manufacturing very difficult. Peasants and agricultural workers found themselves prey to agri-business firms. The reservoirs of the Left – unions – were drained. This was a major blow globally.

The left had to learn to engage with working-class and the peasantry in the unions that remained and to build new unions, new kinds of organisations in the informal sector. This has been an enormous challenge. Inequality rates and precariousness have made it hard for workers to take the time to build their own organisations. There is little time for meetings. Even harder, aspirations have been created by the psycho-social side of neoliberalism. Everyone wants to improve their lot, even if the

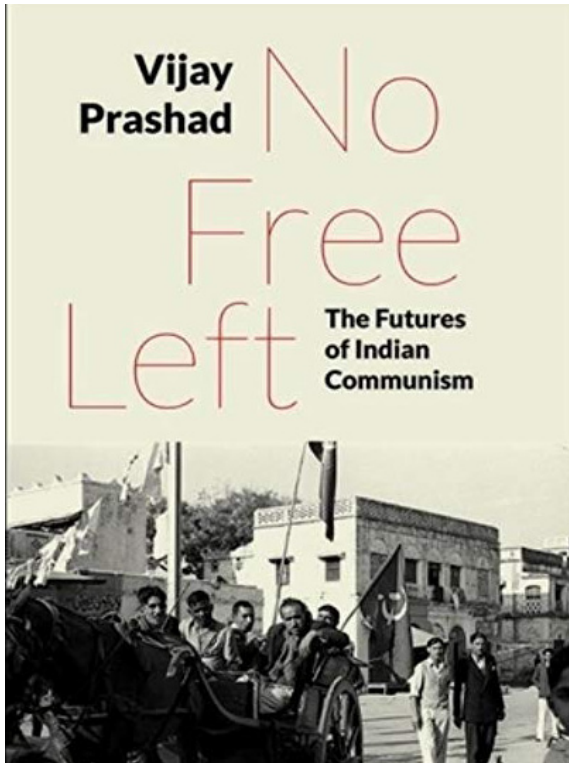
structure is an impediment to that. There is a belief that I can make it. Nothing wrong with this belief. But it would be more accurate if you changed that to we can make it. Namely, to go for a socialist alternative rather than an individualistic one where only a few might (against heavy odds) succeed. These are the challenges of the left. They have to be met head on.

I see the left growing slowly across the world, regrouping in Latin America and in Africa, regrouping in East Asia and in the Middle East. But slowly. We have to be patient. We have to build relationships across these continents, to create trust between movements. Morocco's Democratic Way has been formed by a variety of popular working-class movements – now led by people who spent decades in prison. This is the mirror of the situation in Chile, but with different outcomes. In Chile the left was able to emerge as a significant force, and then hastened to take power before they were truly ready. In Morocco, the monarchy makes that road impossible. Nonetheless, the Moroccan and Chilean left needs to be in contact, to learn from each other, to build the confidence of each other. The Workers and Communist formation plays an important role here, but it is not enough. There are movements outside the formal communist parties that need to be at the table. We have to have a much broader outlook when we think of the regrouping of the left.

**How do you see the organised left in India, the challenges, weakness and the future.?**

The situation in India mirrors that of the rest of the world. A few years ago, I wrote a book – No Free Left – which is on the Indian communist movement. It placed the challenges that I mentioned above into the story. The reservoirs of the left in India were also depleted. It took a generation of militants and full-timers to build up the Kisan Sabha and the CITU, the AIDWA and the DYFI, and the other mass orgs of the different parties so that now we can have massive mobilisations.

Kerala leads the way, surely. But more is needed. We are weak in the Hindi belt. Is this because of the lack of an anti-caste movement in that region,



*Vijay Prashad's book No Free Left*

and so when that movement did come – in a very late way only thirty some years ago – it was folded into narrow caste politics and not emancipatory politics? Is this because of a culture that remains caught up in the hierarchies of caste and of landlordism? How to break into that region, from Rajasthan to northern Bihar? How to recover ground in West Bengal and Tripura? How to move a genuine electoral agenda in the South (outside Kerala) so that the powerful communist bloc can make gains against the narrowness of the regional bourgeois parties? These are some of the million questions I think we need to be asking.

**How did you come to the idea of Tricontinental?  
How are you visualizing it?**

The Tricontinental: Institute for Social Research is part of an ongoing attempt to build international links between left-leaning researchers. There are many such initiatives. We are only part of that stream. Our interest is to build our research agenda in conversation with political and popular organi-

sations. We believe that intellectuals should develop their research projects in collaboration with those who struggle to change the world. The formulation here is from Marx's remark – the philosophers have only interpreted the world, the point however is to change it. We are working to make sure philosophers (intellectuals) actually interpret the world. And then to see if those interpretations are useful in the movement for emancipation. Our institute is new, but growing. We have offices in Delhi, Sao Paulo, Johannesburg and Buenos Aires. As we learn more from our own intellectual and institutional experiments, we'll be able to speak with more confidence about them!

**What are your ongoing projects – books, engagements?**

My time is taken up in three ways. First, doing my regular reporting from around the world, such as the recent series from Argentina. Second, building the Tricontinental. Third, making sure you get to read good books from LeftWord. By the way, we are expanding at LeftWord – moving to 50 books a year by 2020 from about 12 or so a year. Next year is LeftWord's 20th anniversary. We have some important books coming out to commemorate it, including a new list in Hindi. We hope that our books meet the needs of our readers. We are always open to suggestions. What we want to do is to produce smaller book at lower cost so that they can be purchased and read by everyone. To this end, I'm writing a book on socialist writing and socialist reading. It will be out next year. For now, I have just released a volume of Lenin's work in a single book. It was a lot of work to produce and I hope it will be appreciated by those who read it.



# Hatred and Threat to Communal Harmony in 2019

TEESTA SETALVAD

Kerala, Bengal, nor for that matter no part of India are new to the politics of hate. How certain words are used, derogatory terms legitimised, and then subtly or not so subtly the 'othering' is collectively given an ideological hue to create a climate that can easily enable incitement to targeted violence. If Islamophobia on a world scale finds legitimisation within Indian soil, thanks to the bigoted ideology that rules us, anti-christian bile is also special to this potent mix.

In lectures with students of law and journalism, I devote several hours and chapters in elaborating this phenomenon: a disturbing trend that has exposed the dark underbelly of India (communalism and caste hatred not to mention misogyny), that has drawn the attention of judicial commissions who have sat on brute bouts of communal violence, deeply troubled that conscientious policeman(or woman) who is wedded to the constitution and not the government in power (a la RB Sreekumar from Gujarat or Vibhuti Narain Rai of 'Hashimpura' shame). It is systemic and inciteful hate speech and writing that precedes bouts of communal pogroms and violence. We have laws against it but these are rarely used and our courts have been wary of nipping this poisonous bud.

CJP has over the years launched campaigns against hate speech and is on the verge of launching a hate hatao app. We urge readers to join our mission in deepening human rights by enrolling as a friend of CJP (<https://cjp.org.in/friend/>).



*Teesta Setalvad*

## Our legacy informs our work today

India has too often experienced the dangers of communalism, and the resultant hate that frequently arises from it. Following the demolition of the Babri Masjid in Ayodhya on December 6, 1992, communal riots set Bombay aflame. Twenty-five years later, last year, on December 6, 2017, CJP, along with more than 30 prominent Indians from all walks of life filed a petition in the Supreme Court to intervene in the Ayodhya dispute, with the belief that the case is not a property dispute, nor a Hindu vs. Muslim issue, but one that affects the very soul of India.

We believe it is crucial to build a band of committed citizens willing to stand up against inciteful speech. Earlier this year, CJP stood up against the communal Rath Yatra that was mounted by the Rashtriya Swayamsevak Sangh (RSS) and its affiliates in February, even as the Supreme Court was hearing the Ayodhya dispute case. Now Bengal is the next target.

Unfortunately, given India's current socio-political landscape, hate speech, and the callous disregard for its potential for provoking violence, seems to abound. In April 2018, the Association of Democratic Reforms (ADR) and National Election Watch (NEW), released a report listing the MPs and MLAs who had cases of hate speech filed against them. Notably, most of the lawmakers were from the ruling Bharatiya Janata Party (BJP): 10 out of the 15 MPs the report highlighted were from the BJP, while this was the case for 27 out of the 43 MLAs that were singled out.

In June 2018, CJP's Hate Watch wrote about how a BJP youth page spread false news about Kashmiri Opposition leader Omar Abdullah ending the annual Amarnath Yatra, a symbol of syncretism and Kashmiriyat that bridges the communal gap. This propaganda was later exposed as a hoax. Following this, another page responded with Facebook Live broadcast by T. Raja Singh, a BJP Telangana MLA who serves as the party whip for Telangana.

We track the social media and tell our readers and band of supporters how the right wing works, breeding hate. Take the case of Deepak Sharma, closely associated with the rightwing. We found multiple videos of him, not removed by facebook.

So should we not together launch a movement against the inciters of hate and harmony?

Combating hate is not solely the job of activists and the media; ordinary citizens can and should take steps to fight it. Any citizen can take legal action against hate speech by filing an FIR under Section 154 of the Code of Criminal Procedure (CrPC). The first step towards acting on hate speech is to be alert in order to monitor/ tape/video-tape the entire text of such a speech. Sections 153A and 153B of the Indian Penal Code (IPC) oblige the state to prosecute those guilty of such violations. Section 295 of the CrPC is also a section that can be invoked whenever there are deliberate attempts to disrupt communal harmony. CJP urges you to take steps to fight hate speech, to ensure more peaceful dialogue. For more about registering a complaint over hate speech, and for a format for such a complaint, go [here](#).

India, digital space and hate: India is one of the fastest growing digital markets in the world today. With a population of 300 million Internet users, India is next only to China and the United States. It's a well known fact that a large number of Internet users in India come from the middle class and the upper classes, however the spread of cheap and affordable smartphones in recent years had broadened the base and now the digital media space is also available to rural populations. Far from being a unilateral play-field, hate speech has had a "chequered course of protection and restriction both within the domain of state sanctioned institutions and the broader social field."

Proponents of right-wing ideology relying upon religious supremacism, and advocating the cause of a Hindu rashtra have figured prominently is a culture increasingly moving towards abuse and hate. Acrimonious and scathing messages against Muslims and Christians, laced with hyper-masculinist gendered rhetoric has been often used to insult, hurt and give calls for major violence in order to 'protect and save' the majoritarian community. Such people even have condemned the cause of secularism and have often resorted to accusing intellectuals and activists with liberal ideologies as "appeasing" the minority community.

## Agenda of the Far Right

A sinister agenda is afoot with the far right to swing the public mood away from concerns and anger about absence of jobs, hunger, starvation, a flailing economy. No wonder then that talks of 'Ram temple at Ayodhya' are being heard. As sinister or more is the plans to table and try and push through a manipulated Joint Parliamentary Committee (JPC report) on the Citizenship Bill –amendments proposed to Indian law. The functioning of the JPC has been tardy,tardy, even selective manner of functioning of the Committee is a matter of concern. For three years since its constitution, this Committee on the Citizenship Amendment Bill, 2016, never took the task seriously despite the fact that it was constituted on an all important issue. Mohammad Salim, ML Lok Sabha of the CPI-M was a vocal member, now a dissenter. Discussions with stakeholders have been reduced to a complete farce. The states of West Bengal, Tripura, Jharkand, Orissa, Andamans were never visited.

Indian Citizenship is a fundamental right and premise drawn from India's Constitution that is republican and secular.Indian Citizenship is based on the Fundamental Premise of Equality of All regardless of Gender, Caste, Class, Community, Region or Language, principles enshrined in the Preamble, Citizenship Provisions (Articles 5 to 11) and the Fundamental Rights.

Besides the guiding principle of India has been the Principle of Vasudhaiva Kutumbakam (Sanskrit: वसुधैव कुटुम्बकम्) that has meant that all persecuted peoples, be it Jews, Yemenese, Parsees (Zorastrians), Iranians, Afganis, Tibetans, Bangladeshis have all found home here.The phrase appears in Maha Upanishad. and is engraved at the entrance hall of the parliament of India.

The sinister ideology behind the proposed Bill as it Stands shows that these Fundamentals are attempted to being changed without dialogue and debate. This actually meets the Ideological Persuasion of the Rashtriya Swayamsevak Sangh (RSS) that regards this move as "the Unfinished Agenda of Partition." India and the Sub-Continent has already lived through one holocaust caused by religious divisions. This will create again the potential of several mini-holocausts of the kind Nellie, As-

sam has seen in 1983 and other parts of India have also witnessed.

The proposed Amendments extending an open invitation to all Hindus from persecuted neighbouring countries and the underlying threat is that it is Muslims who have migrated or entered from these countries can be sent off, or reduced to pathetic conditions in Detention Camps or face inhuman Foreigners Tribunals that are not functioning professionally.

The government has argued that the bill is intended for those fleeing persecution and is not for economic migrants seeking a better deal. The Bill proposes citizenship to six persecuted minorities — Hindus, Jains, Sikhs, Parsis, Christians and Buddhists — from Pakistan, Afghanistan and Bangladesh who came to India before 2014. Dissenting Opposition members have argued for the inclusion of all refugees and persecuted persons whether from the abovementioned countries or even 'Sri lanka or Myanmaar.'

The implications of the committee having cleared an amendment moved by BJP MP Meenakshi Lekhi seeking to drop legal proceedings against six persecuted minorities, is potentially disastrous and discriminatory. The amendment, if accepted, could mean that Bangladeshi Hindus lodged in detention centres in Assam, facing deportation or declared illegal foreigners would get relief while their compatriots, simply because they are Muslims, would face hardships and persecution.

In fact the proposed Bill will ensure complete institutionalised incarceration and persecution of the Rohingyas facing acute persecution from Myanmaar and not being offered any succour even by Bangladesh.This essentially means that, while non-Muslim migrants become eligible for Indian citizenship, Muslims are denied this right.

There has been a strong resistance to the Bill in the BJP-ruled Assam as it would pave the way for giving citizenship, mostly to illegal Hindu migrants from Bangladesh, who came to Assam after March 1971, in violation of the agreement in the Assam Accord of 1985. The BJP government in Assam is fiercely opposed to the Bill. The BJP's ally Asom Gana Parishad too has been protesting against it and has threatened to walk out of the alliance if the Bill is passed.

Over 40 lakh people in Assam have been excluded from the final draft of the National Register of Citizens published in July 2018. Reports suggest that 33 lakh of those excluded have successfully re-applied. The underlying intent of the proposed Amendments is to ensure that those 'Hindu Bengalis' excluded from the NRC are promised (whether or not this is eventually legally or Constitutionally valid) to be brought in through the Citizenship Bill Amendments. The socio political outcome will be disastrous: People within Assam and Bengal if not elsewhere will be divided, again, between the 'Hindu' and the 'Muslim'.

There is a deep rooted contradiction in the bill as regards the terms of the Assam Accord — which calls for repatriation of all migrants irrespective of religion who arrived after March 24, 1971 — and this remains unresolved. The terms of the National Register of Citizens will exclude Hindus from Bangladesh but they will be covered by the provisions of the bill.

For the present central leadership of the Bharatiya Janata Party (BJP) and the Rashtriya Swayamsevak Sangh (RSS), this basic alteration of Indian citizenship is in line with what they see as the unfinished business of the Partition. They believe that Indian citizenship laws should recognize a right of return for Hindus from Pakistan and Bangladesh to India, similar to the right of Jews to return to Israel, or of ethnic Germans to Germany.

The proposed Amendments will do nothing short of foment Political, Religion, Linguistic and Ethnic Divisions. Those of this dominating persuasion are unhappy with the Indian Constitution's unequivocal rejection of the two-nation theory. Today, based on the fundamentals of equality and non-discrimination within the constitution, Indian law cannot distinguish between Hindu and Muslim arrivals from Pakistan and Bangladesh. The real purpose of the citizenship amendment bill seems to be to introduce this distinction into India's citizenship laws.

The BJP's 2014 manifesto rather crudely states that "India shall remain a natural home for persecuted Hindus and they shall be welcome to seek refuge here." Such a statement mimics the policy of only one other country, Israel—which sees itself as a sanctuary for Jews who are given an automatic

right to enter the country and earn citizenship. In February 2014, Prime Minister Modi (then on an election campaign) infamously said, "We have a responsibility towards Hindus who are harassed and suffer in other countries. India is the only place for them." Israel, it is well known, has a dismal track record not just on the human rights of other peoples in general but of the Palestinians at the West Bank, in particular.

In the paragraphs preceding this ill-considered statement in its 2014 manifesto, the BJP praised its "NRIs, PIOs and professionals settled abroad" who are a "vast reservoir to articulate the national interests and affairs globally." The hypocrisy is patent. These NRIs and PIOs are able to live in these countries because of the relatively liberal immigration policies of their countries of residence. The BJP's concern, in its manifesto, is only for middle-class and upper-class professionals (they too, Hindu), and it provides no reassurances for the Indian workers across the world whose remittances support their families and Indian foreign exchange balances.

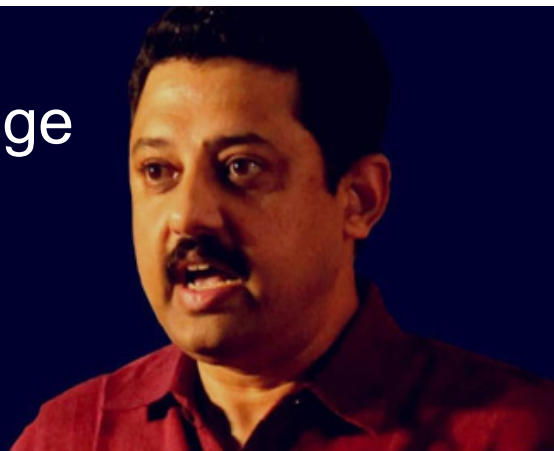
So today, in 2019, when India's parliament seeks to fundamentally alter the very basis of Indian citizenship laws, and may even do this without honouring Indian federalism, the implications of the change are huge for the country and subcontinent. The Indian Constitution's rejection of the two-nation theory is crucially important for the status of Indian Muslims as equal citizens.

The proposed amendments will impact not only the sense of security of Indian Muslims, but also the future security of Hindus in Bangladesh, and the credibility of India's historical position on the Kashmir question. A hard national question across the political spectrum is in order. The implications of the bill are far more profound, ill conceived and downright dangerous. They threaten the social fabric of India and the next election campaign of the shrill, far right will be modelled around the slogans 'nation for Hindus' and 'throw the infiltrators out.' Apart from the unseen and unheard, poor and marginalised in Assam's detention camps such a campaign has the potential of setting India aflame again. Will India's opposition have the grit to take them on?



# The neoliberal challenge in higher education

**R. RAMAKUMAR**



The political challenge that we face in India today is two-fold. We are fighting a regime in which the disorder of the market is fused with the bigotry of Hindutva. The challenge in higher education too is, thus, two-fold. On the one hand, neoliberalism is choking higher education of resources. The very idea of a university as a public good and as a site of critical learning is under threat. On the other hand, Hindutva nationalism is attempting to re-fashion higher education based on a rejection of rational thought. Myths are replacing facts in history. These two challenges are not different compartments; today, the market and Hindutva appear to complement each other.

Across the world, the rise of neoliberalism after the 1970s led to a weakening of public higher education. Public higher educational institutions were established on a mass scale in the USA and the UK on the premise that higher education constituted a public good. In the USA, establishment of public universities and colleges date back to the 1860s, when the Morrill Land-Grant Act of 1862 was passed. Federal property was allocated to start colleges that would teach agriculture and engineering. From the 1860s till the 1920s, a large number of junior colleges, women's colleges, community colleges and urban service-oriented universities were instituted. After the WW2, the GI Bill allowed large numbers of war returnees to attend colleges and universities free of cost. It was these policy initiatives that gave higher education in the USA a mass character. The most well-known and

successful higher education institution was the University of California, where the tuition fee was close to zero.

In the UK, at the eve of WW2, the major universities were few in number – dominated by the Oxford and Cambridge universities – as well as small in size and catering to the elite. Higher education in UK was not truly mass even by the early-1960s. A few policy shifts in the early-1960s changed the scene drastically. The Education Act of 1962 ensured that the government paid all tuition fees for students who secured a university seat in addition to a maintenance grant. The submission of the Robbins report in 1963 further eased the process of opening of new public universities: Sussex, Keele, East Anglia, York, Lancaster, Essex, Kent, Warwick, Salford, Ulster, to name a few. About 10 technical institutions were converted into universities: Aston, City University of London and Cardiff, to name a few. The neoliberal attack on higher education began in the USA by the late-1960s. As Ronald Reagan took over as the Governor of California in 1967, he made the famous statement: “the state should not subsidize the intellectual curiosity of its citizens”. Over the period of his Governorship, he cut the budget for higher education by 50 per cent and ended free tuitions. He did the same as President too. Today, the tuition fee at the University of California is more than \$13,000 with an additional \$14,000 for room and board. Similarly, in the UK, Margaret Thatcher had, as Minister for Education, begun her policies by stopping free sup-

ply of milk for school children. As Prime Minister, she cut the budget for higher education by 20 per cent and 6000 university teachers were “released”. Tenure was abolished and the University Grants Committee (UGC) was abolished. It was replaced by the University Funding Council, which was to have a pool of funds, of which 50 per cent would come from business and industry. The Council was to make individual contracts with each university, based on which the grants would be released conditional on it meeting certain “outputs”. A league table that showed rankings of each department in the country was prepared. One of the first results was that many departments of philosophy were shut down. Tuition fees were raised, maintenance grants were frozen and for the remaining expenses of students, an education loan system was introduced.

These examples of neoliberal assault on higher education were also mirrored the world over. Education came to be seen as a commodity. The public university was increasingly seen as a public firm. Presidents of universities were no more academic leaders of distinction, but the best fund-raisers (may be even Wall Street veterans). As public funding declined, the university campuses were transformed into revenue-generating spaces. Universities become spaces for brand naming, as corporate interests finance the construction of buildings or institution of professorial chairs in their own name. Each department was seen as a cost-centre, which should raise enough funds to meet faculty costs. Faculty salaries were linked to performance. Permanent posts are cut down and more part-time faculty takes their place as the new underclass of higher education. Business representatives sit on faculty committees to decide on how research funds are distributed and spent. All new programmes should be totally self-financed. Professional leaderships in universities were replaced with executives. Registrars were not any more administrative leaders, but auditors. Academic goals were replaced with financial targets. As corporate interests fund more research projects, their ability to influence, even censor, results is the tendency. Generation of knowledge was replaced with quantitative targets and higher rankings. The quality of

teaching was to be assessed by how best the university fed the job market.

A striking tendency is also that departments or projects that are unable to attract funding are slowly closed down or choked for funds. Examples cited by scholars are: critical theory, literature, feminism, ethics, environmentalism, post-colonialism, philosophy and sociology. Another tendency is the initiation of more and more online courses; here, universal knowledge is copyrighted and protected behind pay walls of the university. Students are burdened with higher and higher fees, and education loans – the neoliberal solution to fee hikes – convert them into “indentured scholars”, bonded to some corporate job for years to repay the loan. It is no wonder that the popularity of Bernie Sanders and Jeremy Corbyn are linked to their promise to protect the universities from neoliberal onslaughts.

Coming to India, the squeeze of education as a sector runs back to the post-independence years. We never had any golden era of higher education, as in the West. Our colleges and universities were always under-staffed and with poor infrastructure. Even when liberalization began, we had one of the lowest public expenditures per student. When the gross enrolment rate of the world in higher education was 24 per cent, our gross enrolment ratio was just 10 per cent. The key policy shifts in higher education begin with the New Policy on Education in 1986 and then the submission of the Punnayya Committee in 1993. The 1986 policy had suggested mobilizing of donations and increase in fees as solutions to shortage of funds. Constituted by the UGC, The Punnayya Committee suggested that the own-resources of universities should constitute 15 to 25 per cent of recurring expenditure. In other words, this was to constitute a 25 per cent decline in funding of universities. The WTO agreement was signed in 1994 – under GATS. Here, the effort of the central government was to consider higher education as a non-merit good, which might come under the strictures of subsidy reduction. The Ambani-Birla report came in 2000. These great scholars said that the government should take care of primary education and leave higher and profes-

sional education to the private sector. Government should progressively reduce funding for higher education and make universities self-sufficient. Full cost recovery through higher fees was recommended. If fees rise, the government should encourage a credit market for education. Private universities should be encouraged. FDI in education should be allowed. The UGC, thus, came out with a model act for education in 2003, which again emphasized self-sufficiency of universities. Then, as per the Foreign Universities Bill of 2010, the attempt was to allow 100 per cent FDI in high education and allow them outside the ambit of UGC/AICTE under the Section 25 of the Companies Act.

But all these efforts were either attempts or implemented only half-heartedly. It was during Kapil Sibal's tenure as Union Minister for Human Resources Development that the fund cut began in right earnest. The effort of Sibal was to start a 50 per cent cut in the funds allotted to higher educational institutions over a time frame. The assassination of the UGC began during the UPA-2 government. The NDA government has continued this neoliberal onslaught. It continued the fund cut begun by the UPA-2 and also completed the assassination of the UGC by replacing it with the Higher Education Commission of India (HECI). We are together here in resistance to the HECI. For the first time in history, all the three scientific academies of India - Indian National Science Academy (INSA), Indian Academy of Sciences (IASc) and National Academy of Sciences, India (NASI) - have written to the government asking it to retain and strengthen the UGC "with full functional autonomy and with substantial augmentation of finances". The idea of creating 14 world-class universities ("universities of innovation") was of Sibal. This task of creating islands of excellence in the midst of poverty has come to be completed by the Modi government. The Jio model of excellence is only too well-known.

It is important to underline that 25 years of neoliberalism, and in particular the last 10 years, have significantly deteriorated the quality of higher education in India. The effort, slowly, has been to restructure Indian higher education in the American way. We already have a situation where about half

of the posts of Professors, Readers and Lecturers are vacant across the country. About 40 per cent of our college teachers are temporary. Part-time teachers are appointed in colleges at Rs 10,000 per month where as the starting salary of a teacher should be at least Rs 50,000. It has been found that 48 per cent of the universities and 69 per cent of the colleges have deficient infrastructure and poor libraries. According to one data point I saw recently, when you have an average of 9 books per student in universities, you have 53 books per student in the IITs. Just assume the situation when fund cuts become more drastic. Is this the future we want to build for our students?

The humanities are going to be the most acutely affected in this neoliberal restructuring. Most humanities are not created for applied research and are thus systemically not-for-profit. They yield results slowly and indirectly. But when the instant value of the market rules, humanities is forced to surrender as value-less subjects. Humanities are also deeply "political" subjects, and hence are anathema to neoliberalism. Reagan's problem with University of California students was that they protest too much; he called them a "small minority of hippies, radicals and filthy speech advocates" who should "be taken by the scruff of the neck and thrown off campus - permanently". And our government's problem with JNU is also similar: they protest too much, and hence this "tukde tukde gang" should be eliminated. So, the humanities departments in our universities should not be allowed to be, to follow Noam Chomsky, "subversive to the establishment".

We do not need our Professors as academic entrepreneurs. We want them as creators of knowledge. We do not want knowledge as a form of venture capital or be the source of instant profit. We want knowledge to be public, free, rational and for the people. We do not want the morality of the market in our universities. We want the political sovereignty of critical thinking in our universities.

Let us join hands to strengthen this struggle to save higher education.

# BRITTO'S STORY MIGHT TURN TO BE A MYTH, BUT FOR HIS COMRADES A CONSTANT SOURCE OF INSPIRATION

M. A. BABY



*Simon Britto*

Britto was born on the 24th of March 1954 and I was born just ten days after. We stepped into student activism together, shared the same politics, read together, and studied together. Soul mates, almost. However, it never crossed my mind that someone so close could just leave one fine day. Someone who fought hard for centuries to survive, live. Someone who lived beyond his physical limitations, quite extraordinarily. I haven't uttered a word to the media. The truth that Britto is not a phone call away anymore is something I have not been able to cope with.

Fort Kochi, 1977. SFI's first state conference post-Emergency. That's where I met Britto. Eventually I met him every time I visited Ernakulam during my SFI days. Britto was always there as a vibrant district wide leader. He later rose up to be a state committee member and later the vice president. Britto was known for his colourful clothes, especially his flamboyant bell bottoms. His exuberance made him stand out in any crowd. He was schooled at various places due to some hurdles, which led to him being my junior in SFI.

Pazhani, Oct 1983. SFI's State Conference at Tamil Nadu. A comrade passed me a note as I was addressing the gathering. Comrade Simon Britto has been stabbed. Fatally injured, admitted at the Ernakulam Medical Trust Hospital. I was then the SFI All India President. Soon at Ernakulam the same day, I



went to visit Britto with Betty and Nata Duvvury. It was uncertain whether he would survive and the uncertainty went on for a couple of days. He was stabbed multiple times on his spine, with a clear intention of murder. Dr Pulickan was with the Medical Trust back then. Comrade AP Varkey was the party's district secretary, who took up complete responsibility to look after Britto. Dr Pulikan was told by Comrade Varkey that saving Britto was absolutely important. Thanks to a bunch of determined doctors, Britto was back.

People were easily attracted towards Britto's magnetic personality. He made no compromises when it came to Party's needs. Built of extraordinary sincerity, limitless love for his comrades, he was well read and a committed 'cadre' at taking party classes - all of it making him a much revered figure amongst us.

SFI was still growing in Kerala's college campuses of the 1960s and only had a limited influence amongst students, despite leading some powerful protests under the Kerala Students' Federation. However by the 1980s, post SFI's formation in 1970 at Thiruvananthapuram, we had become Kerala's biggest students' organization. Congress's KSU was in a majority in Kerala's college campuses at the time. Ruthless physical violence was with what KSU countered SFI's growing influence. Comrades were frequently attacked. Murdered. A section of the Malayalam media on the other hand repeatedly tried to push the constructed binary of the 'violent Communists' and 'peace-loving bourgeois parties'. Simon Britto was a victim of the period's KSU-violence. SFI's counter to this rampant violence was to fight back by drawing the best of comrades to itself and Britto was one amongst them. That he was a living example of the fact that it's the Communist Party that has borne the brunt of Kerala's political violence, was something that Britto had even mentioned in one of his speeches as an MLA.

His physical limitations never led him to take a stand against the party. However, he used to ring me up whenever he thought the party needed to correct its stance about a particular issue or to share some concern about the party taking up an organizational decision. Britto would ring me up whenever and wherever there was an issue that

troubled students, for instance. When students at the Maharajas' College (Ernakulam) were at strike, Britto remembered to remind the party that the strike and its causes demanded more attention. This deep consideration for students and their struggles is what brought Britto so close to today's student leaders of the state like Abhimanyu.

Britto often took the liberty to call comrades up to tell them of the differences he had with certain organizational decisions, if any, including comrades like Pinarayi Vijayan or Kodyeri Balakrishnan. He was also someone who valued personal relationships and friendships beyond political differences. We were together in the Legislative Assembly from 2006-2011. It was only after Britto's entry as an MLA and him questioning the limitations here, that the Assembly Hall at Thiruvananthapuram was made differently abled-friendly.

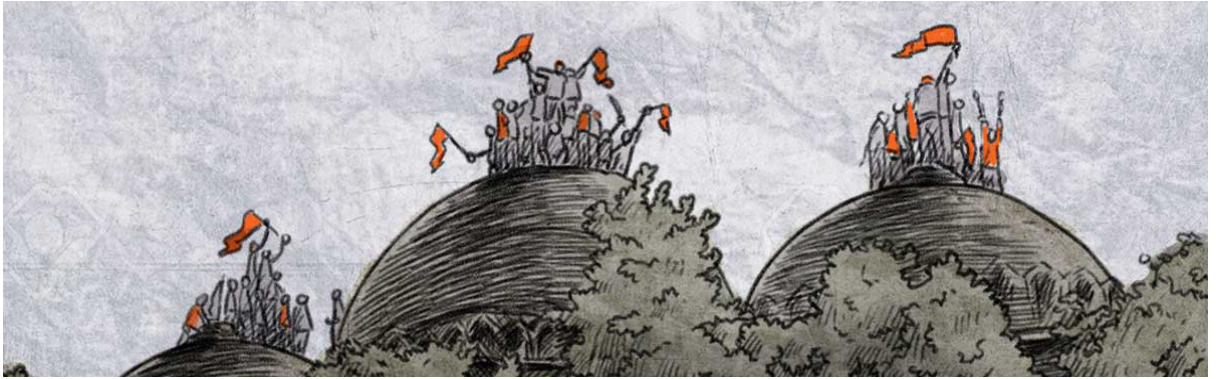
He got more involved in an intellectual life post the 1983 assault. Interestingly, it was also after the assault that Britto travelled most of North India, including the Himalayas. Britto never missed an opportunity to travel, even within Kerala. During the last Assembly election, Britto was with me during my campaign for almost five days. However, most of his newer plans now remain undone - a tour of North India with musician Pauly Varghese, a trip through Bengal, a Himalayan trek inspired by Chinese Buddhist sage Xuanzang's travelogue etc. Britto has also left his magnum opus unfinished, unpublished. Agrabami, Maharoudram etc. are some of his best work.

When Britto was about to get married, most of us must have wondered about the feasibility of someone with physical limitations as his, entering family life. I completely left it to him, when he approached me. We should also remember that Seena's determination has been more precious in this relationship. That what this determination gave birth to was an ideal, political family. Britto was lucky enough to have loving, considerate parents and relatives.

The story of this "living martyr" might turn out to be just a story or even a myth to coming generations. For Simon Britto's comrades however, he will remain a constant source of inspiration, energy and exuberance for many more years to come.

# Art and Vandalism

SUNEET CHOPRA



Those who have read about Alexander reducing the city of Persepolis to ashes after a drunken binge or the same fate being thrust on Troy by the Greeks, or the burning of Lanka by Hanuman or the recent events from 2002, leading to the destruction of the Babri Masjid by the BJP over a believed Ram Janmabhumi under it, or the destruction of those enormous images of Buddha in Bamian in Afghanistan by the Taliban that followed it, would realize that the violence of the destroyer is something more than just a pathological phenomenon and must be analyzed in all its aspects, including political.

First and foremost, it is something grossly illogical and inhuman. A work of art, a beautiful building or even whole cities as in the case of Hiroshima and Nagasaki destroyed by the USA only to test and demonstrate the destruction caused by newly invented nuclear bombs, are objects that in themselves carry no basis for the wanton destruction they unleashed. Art works and architecture do not move, are often beautiful to look at or even useful like the dams and canals of Babylon that were destroyed by invading armies of marauders.

This type of destruction is no different from cultural genocide. It is equally damaging to the destroyer as to those it tries to wipe out. This is even more senseless and ineffective as one can rebuild a destroyed monument as we have seen in Germany, Russia and even in Japan, where the reconstruction of the cities destroyed by bombing has even

improved on their impact as is evident in Hiroshima today.

It is then a futile practice that defeats itself and its perpetrators like Mussolini, Hitler and the fascist armies they unleashed in World War II as they destroyed themselves and their countries in this process in the end. The US forces also lost the wars in Korea, Vietnam, Laos and Cambodia, despite the unprecedented destruction they let loose, which went far beyond that of World War II. So the scale of destruction in itself cannot be seen as a basis of victory in war. In the same way, destroying the statues of Saddam Husain in Iraq or plundering the museums and monuments in that country is in fact one of the reasons why the Iraqi people detest the US invaders today. By simply destroying artifacts, statues and buildings you cannot destroy the ideas and ideologies they embody in the minds of people. If you wish to replace them you have to be able to present humanity with better alternatives. The destroyers of works of art can then be seen as having captured countries by brute force but having failed to provide better alternatives or even credible ones. That is why they defeated themselves. The revolutionary Soviets of the October revolution in Russia preserved the objects of the past not only to show what excellent works of art the workers, peasants and craftsmen had produced for their rulers and how the revolution was the better alternative that followed them. By preserving the best cultural products of the past people could en-

joy them more fully in better times for the people as whole when people could create works of art in an atmosphere of freedom. In fact, the Red Square in Moscow houses the mausoleum of Lenin beside the Kremlin, along with the restored palaces and churches of the Czars who built it. It is the same with the Imperial Palace in Beijing, or the Red Fort which serves as the site for the flag hoisting on Independence Day in our own country. Also, while the statues of the British were removed from the major sites they were in and stored in places like the Victoria Memorial in Kolkata and the British Cemetery in Delhi, they were not destroyed. This was done at the time when Nehru, whose concepts were steeped in the spirit of the National Movement as also a sympathy with the approach of the newly established Soviet state that valued the objects that reflected the concrete reality of its history as seen through the works of the best producers of art of their time. But it was against revivalism of this past for its own sake. In Independent India we see a similar outlook. That was why Nehru was not happy with the rebuilding of the Somnath temple in Gujerat and even asked for the idols that were planted in the Babri Masjid in 1948 to be removed. But people like Govind Vallabh Pant quietly refused to do so and K.K. Nayar and his wife were able to win two Parliamentary seats in UP using the issue of a Ram temple to gain communal votes. The same idea is behind the way in which the BJP is unwilling to put an end to the Ram temple issue by leaving it as the settlement of a land dispute in Ayodhya.

For years, Hindus were allowed to visit the images to pay their respects to them from a side gate, while Muslims were not allowed in the premises to offer prayers. But even that did not satisfy the communal forces who were bent on destroying the mosque where Tulsi Das wrote the Kavitavali when he was expelled by the Brahmins from Assi Ghat in Banaras for bringing a Sanskrit epic into the language of the people. In fact he makes no mention of a Ram Janmabhoomi there but states that he lived by begging for his food and sleeping in a mosque. The existence of the Tulsi Terrace at the Babri site is proof of his refuge in the mosque, with the help of Abdul Rahim his friend and mughal noble. Since then the destruction of the Babri Mosque has done

nothing more than remove the idols from the protection of a building and thrust them into a tent, creating a constant irritant in the political life of our country and fueling divisive and communal politics. Clearly the destruction of the Babri Masjid has damaged our political life much more than merely destroying a building.

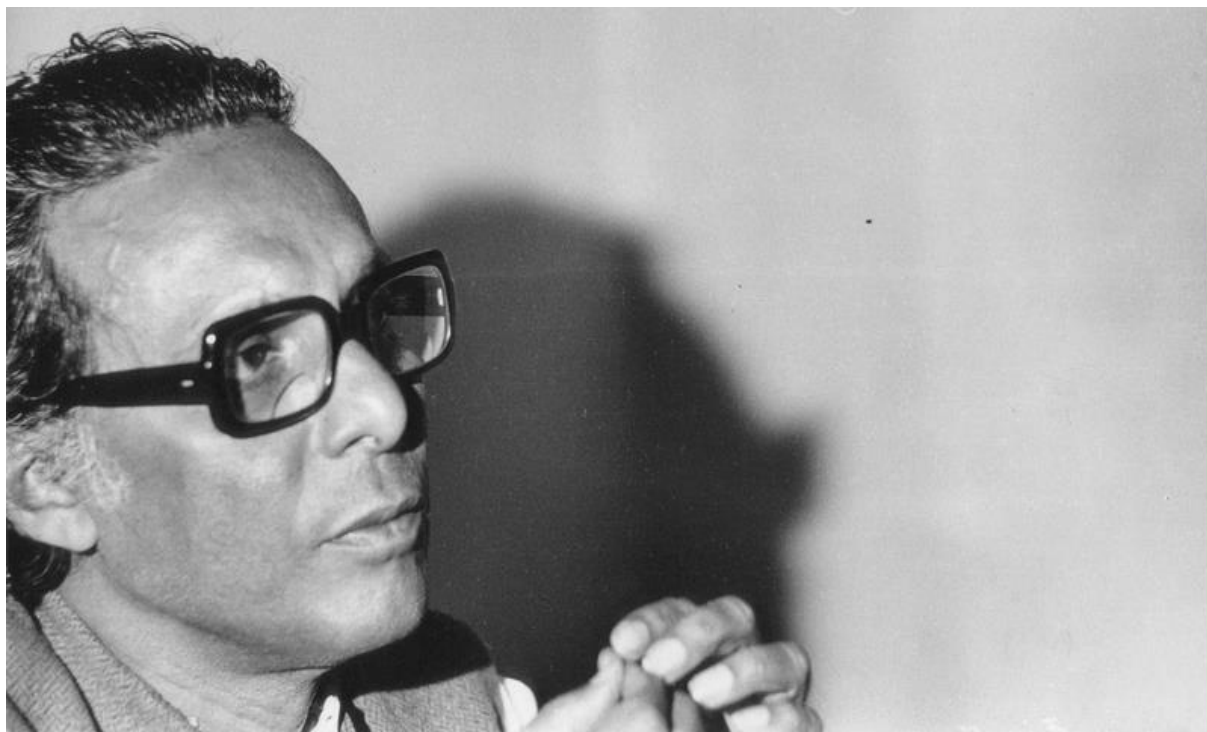
This should teach us that in a broader perspective, the policy of 'isolate and destroy' may be effective as a one off action militarily, but in a political, cultural and historical context it can only be disastrous. Destruction of works of art, monuments and places of worship can lead to consequences that may prove to be irreparable in the long run. The survival of such relics of the past can serve as concrete repositories of knowledge of that past, reminding us of how much better the present is from the roots it has developed out of.

The question that arises out of this is that who are the people who destroy works of art in struggle? They are those who have succeeded in overthrowing past rulers but have little or nothing to offer the future as an alternative. Those who have fought for a better future and have a perspective of it, are conscious of the things people have created before them and how far they can serve to deepen our understanding of the future that lies ahead.

This is why those who vandalise art have neither the understanding of it nor the capacity to go beyond what is already there. Sooner or later such elements will be overthrown by the people as their limitations become evident to them, to be replaced by those better fitted to fashion the future. We as progressive thinkers understand how the power of such vandals is bound to come to a speedy end as in the case of the fascists in World War II, but this is no reason to wait for them to destroy themselves, their countries and us along with them. We must make sure that we counter these tendencies and ideas that can only lead to more destruction and conflict instead of the harmony and aesthetic beauty that works of art, good architecture and environment provide as a path to a better future for humanity as a whole. Art may be the creation of a few but it offers peace and prosperity to society beyond itself. That is why artistic expression must be cherished and not destroyed as that can only create divisions and disintegration.

Remembering the Quintessential  
**MRINAL SEN**  
(14 May 1923 – 30 December 2018)  
Film-maker, Comrade and Humanist

GOURAB GHOSH



*From the personal collection of Mrinal Sen*

On a damp, cold wintry Sunday, Ishaan -- a young comrade of mine -- called me to inform that Mrinal Sen had passed away a few hours ago. I was shocked, and deeply saddened. The winter of 2018 had been harsh on all of us, with the loss of Mushirul Hasan just a few days prior to Sen's passing. And so Ishaan and I spoke about Sen's films, sharing memories and anecdotes. Ishaan spoke of his first interaction with Sen, when he was just ten years old. He had auditioned for Sen's film, *Aamar Bhuvan* (2002; based on Afsar Ahmed's novel *Dhanjyotsna*). He did not bag the role of the little boy, Shajahan, but he learned something about Sen through that experience. He wanted to touch Sen's feet as a mark of respect, but Sen stopped him midway and extended his hand for a firm handshake instead. Ishaan thinks of that experience now as his first handshake with a comrade who was drawn to the Indian People's Theater Movement (IPTA) and Marxist ideologies in the 1950s, and remained a Marxist public intellectual until his death.

My own first meeting with Mrinal Sen was when I was much older -- in 2008, when he received the Lifetime Achievement Award at the 10th edition of Osian's Cinefest Film Festival in New Delhi. I was volunteering for the festival and was in charge of the screening of the film, *Khandahar* (1984), which left a lasting impression on me. The title, which means ruins, highlight the contrast between the city and rural life, the thin line between dream and reality, and the fading away of a time that perhaps held mean-



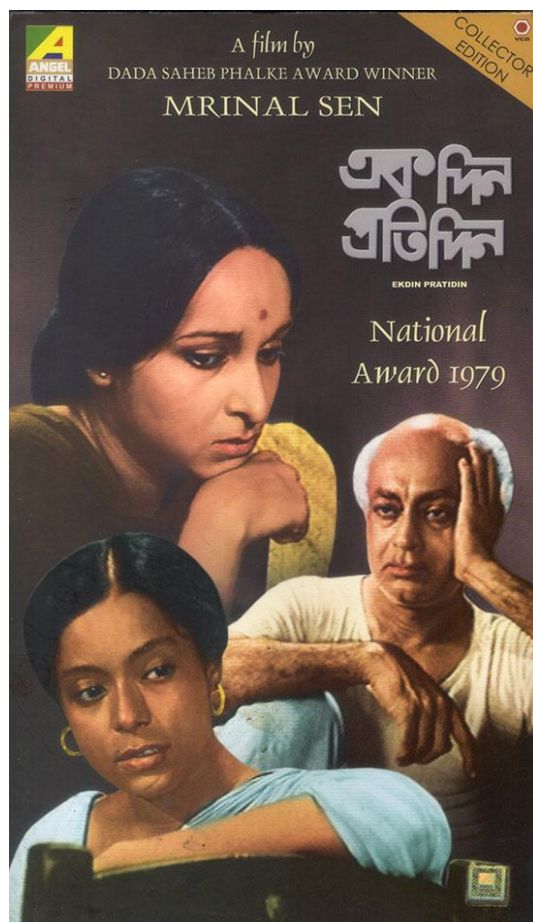
ing and care for humanity. I accompanied him to his car. I admit I could not contain my excitement, and was quite exuberant in my fanboy moment. He was in ill health, but he smiled nonetheless, and shook my hand, firm. The quintessential comrade, Mrinal Sen.

Young Mrinal Sen, a graduate in Physics honours, was drawn to cinema accidentally when he came upon Rudolf Arnheim's book, *Film as Art*. Often dubbed as the "Bengali Godard", Sen was considered as one of the pioneers of the Bengali parallel cinema with his two contemporaries, Satyajit Ray and Ritwik Ghatak. Sen's films dealt with existentialism, Marxism, Nouvelle Vague, and Italian neorealism. As a Marxist, Sen developed a new language of storytelling, and he often looked at the middle class and the city through the lens of Marxism. Unlike his contemporaries Ray and Ghatak, Sen looked at the everyday issues and the reality of life as the most important theme for his films. When we look at Mrinal Sen's films today, we need to also remember the political activism of the 1960s. Sen was not only drawn to the political ideas of the 1960s and Marxism, but also looked at city to understand the history of human civilization and the emotions that were shaped, experienced, and lost in the metropolis of our times.

*Bhuvan Shome* (1969) established him as a major filmmaker both nationally and internationally. This film also gave him a new direction in his filmmaking. That direction was undoubtedly Marxist, and one could see a politically sharper Sen trying to engage with the conflict of tradition and modernity and the dreams and ambitions of the middle class that echoed across the contours of Kolkata. He, thus, created a space of resistance and solidarity in his films, as opposed to mere surrender.

The citizen of Sen's city became the voice of his times that resisted the fangs of imperialism through the political clamour that he heard in the university campuses, on the streets of Kolkata, and in the promise of the Left politics. His 'Calcutta Trilogy' expressed this political zeal and conviction in films like, *Interview* (1970), *Calcutta 71* (1972) and *Padatik* (1973), in which he successfully brought out the political tensions and unrest of the 1970s. The city and its denizens become the "proletariat myth" and as well as the reality in his films.

The recent cancellation of the screening of his films in the campus of the IIST-Shibpur in West Bengal, alongside a documentary on Rohith Vemula, highlights the significance of his films to our times. Sen challenged the very notion of imperialism and highlighted class struggle through his work, and perhaps this is the reason why saffron figures who have recently sought to control campuses like the IIST-Shibpur fears to remember Sen and his films. But even in death, Mrinal Sen remains relevant, perhaps now more than ever. We need to remember him and his films to fight against the right wing and imperialist forces, and uphold his legacy of humanism and camaraderie.



*Ek Din Pratidin* - National film award for best direction (Mrinal Sen)

*Gourab is a doctoral candidate at the School of Arts and Aesthetics, JNU. He is a member of SFI and a queer activist based in Delhi*

# Linkage between Faith and Judiciary under a Democratic System

ASWATHI ASOK



*Women wall organized in Kerala on Jan 1<sup>st</sup>*



*Historic entry of women in Sabarimala temple following the Supreme Court verdict*

The erection of a women fort on the new year day in Kerala, and the entry of two women of 40s in Sabarimala temple on the very next day, with the backing of the strong determination of the left Government of the state to honour the Apex Court of country, have scripted a history in the struggles for gender equality and gender justice. These were the culmination of a long spread campaigns surrounding gender equality and renaissance led by the Kerala Government and the organised left, following a judicial verdict by the Supreme Court on September 28, 2018. Through the verdict the Supreme Court reversed a Kerala High Court order in 1991, banning the entry of women in menstrual age in Sabarimala temple. Following this, the state witnessed a huge outcry over the verdict by the right wing and conservative forces and an unparalleled vandalisms unleashed by the Sangh Parivar with the support of the Congress in Kerala. There were conscious efforts from these people to dishonour a decision which the Supreme Court has arrived after wider discussions and debates. There were widespread attempts to spread venom against the Left Government in Kerala, for fulfilling the executive's duty to honour the order from the Apex Court. This entire sequence of events has brought a longstanding debate to the forefront again: "what should be the involvement judiciary in the matters of faith". This article, therefore, tries to address this question in an objective way and to enquire into the process through the Supreme Court might have arrived at this decision. "How should the judiciary in a secular democratic state deals with the matters relating to faith and belief" is a widely debated topic around the world. The writer of Hebrews gives us the biblical definition of faith by stating in Hebrews 11:1, "Now faith is the substance of things hoped for, the evidence of things not seen", which means faith is a trust or confidence in something without the backing of any evidence and proof. Although there is no uniform approach of proof and evidence shared by

all legal systems of the world today, judicial system itself is built upon the interpretation of law on the basis of available proof and evidence. Here itself, the primary contradiction between the judiciary and faith emerges.

Since the major source of faiths in the existing society is religion, it is essential to explore the relation between religion and legal system. In the opinion of Lambek, religion is, in part, constituted by means of law, but simultaneously as something that is constituted to stand at arm's length from the law. However, there is no straight-forward relationship can be drawn between religion and law—as in a modern-secular-democratic state both are separated by theory, but intertwined in practice.

In ancient and medieval societies, this contradiction was not at all an issue as the power, and religion were indistinguishable, so the faith and the law. In the ancient world, kings were considered to acquire the right of rule from the God. With this concept of Divine Right of Kings, the ruler was not answerable to the people, but only to the God. The laws of the times were developed according to the vested interests of monarch to ensure the complete subjugation of the ruled before the ruler and the “Will of God” concept was used to extract maximum allegiance from the population and thus to suppress any forms of resistance. Popular sanctions for such laws were acquired by the authority by ascribing divinity to those laws. Coming to the medieval period, the institutionalised religions themselves became powerful socially, economically and politically, and started to decide the rules of the land. The lives of Medieval Europe were regulated by the Catholic Church and laws of the land were developed according to their morality. Any forms of dissent were considered as blasphemy and punishable according to the law. Galileo was trialled and punished by the Roman Catholic Inquisition for his support of heliocentrism, which was a direct contradiction of the popular faith of geocentrism, propagated by the Bible and the Catholic Church. So it is very much evident from the history itself that, the rules and the laws of the society, before the birth of democracy were determined by the existing social faith and customs formulated by the powerful and dominant sections, backed by the religious systems to secure maxi-

mum compliance from the public. The scenario was not very much different in the case of India. The law in India evolved from customary practices and religious texts to a modern well codified acts and laws grounded on a constitution. The sources of law during the Vedic period were Sruti, Smriti and acharas (customs). In each period following Vedic era, the laws and rules were transformed to fit into the shape of the then existing social morality and culture. The difficulty in separating the public realm and religion in India has been pointed out by Justice P Gajendragadkar in *Tilkayat Shri Govindlalji Maharaj v. State of Rajasthan* case by observing that in Hindu religion, under the provisions of ancient Smritis, all human actions from birth to death and most of the individual actions from day to day are regarded as religious in character. It means that in India, religion do not confine themselves to spiritual and other worldly matters, rather cover within their fold social behaviour as a whole.

In contrast to the earlier political systems, which derived authority from the divinity and God, the democracy derives authority from the people. The literal meaning of the word “democracy” itself is the “rule by the people”. The most famous definition of democracy put forth by Abraham Lincoln places “people” in the supreme position by defining democracy as a political system “of the people, by the people and for the people”. The very next question comes up from this definition would be who constitute the term “people”. Although in a narrower sense, democracy can be defined as a system which represents the interests of majority of the people, the questions what and who constitutes the majority remain. With wider debates and discussions, a much broader concept of democracy has been evolved over time, which considers democracy as a system in which even the least privileged individual has a voice. So how the judiciary synthesise these two contradictory concepts, faith and democracy, one reflects the interests of the dominant sections and other emphasises on the representation of diverse views with the least privileged sections also have roles to play, is a complex question faced by a judiciary under a democratic system.

Where should/can the judiciary stand in this fight



between faith and democracy? On a preliminary note, it can be ascertained that. Judiciary which is the third pillar of the democracy should stand with the democracy itself. But what should be the position of the judiciary, when the majoritarian faith tries to rule the existing democratic system by even undermining the natural justice of the people. In such a situation, the nature of the political system itself will be altered into fascism or dictatorship. Thus it is the duty of the judiciary to take stand as to protect the fundamental ethos of democracy. The overall concept of modern democracy has three fundamental ethos: democracy, constitutionalism and liberalism. The constitutionalism implies that the People do not give power to the government to oppress, but rather to protect

a limited one subject to the public health and morality. Therefore, when the faith of an individual curtails the freedom, fundamental rights, and dignity of another individual, the judiciary shall intervene to protect the rights of the individual. It is the constitution that protects one's freedom of faith. Therefore, protecting the constitution is the foundation for protecting one's faith. When the question of faith comes into direct conflict with the equal rights and natural justice of human beings, assured by the constitution, a judiciary which assumes authority from a constitution adopted by the citizens of a country can stand only with the values enshrined in the constitution. Thus it becomes the duty of the judiciary to protect and preserve the constitution amidst all odds.



*Women taking oath to uphold renaissance value*

their fundamental rights, interests, and welfare. Therefore the power of Government is limited by fundamental laws called “constitutions.” Thus the constitution becomes the pillar of a modern democracy, and a judiciary in a democratic system is mandated to uphold the values and rights ensured by the constitution. The concept of liberalism entails the ideas of freedom, equality, and dignity of all the individuals living under the system.

However, the enjoyment of freedom by an individual should not restrict the freedom of someone else which is against the basic principle of equality. Therefore the freedom ensured to a person is

Going through the codes and rules of religion, as noted above, it becomes very much evident that the religion, faith, customs and social practices of a time reflect the interests of the existing dominant sections and might involve elements meant to subjugate the weaker for the benefits of the stronger. For example, in India, women and Dalits are historically marginalised and oppressed. To acquire sanction for the oppression, dominant sections (upper caste men) quote Vedic laws which are anti-women and anti-dalit in nature. For instance, the Manusmriti says that “na sthree swathanthryamarhathi” (no woman deserves freedom).



Katyayana, successor of Manu lays down that if a Shudra over heard the Veda or ventured to utter a word of the Veda, the king shall cut his tongue in twain and pour hot molten lead in his ear. These were the rules of the land at that time which acquired sanction from existing religious practices, faiths and customs. But a democratic country following a written constitution which was the product of wider debates and discussions cannot endorse such discriminatory practices as the basic premise of democracy itself is inclusiveness and equality. Therefore when the judiciary encounters with a popular faith which is discriminatory in nature, the court of law is mandated to promulgate a verdict in consonance with the written constitution. In various judgements, the Supreme Court upheld the pre-eminence of constitution over religious faiths and religious laws. The Durgah Committee, Ajmer vs Syed Hussain Ali case the court clearly states that the religious practices might have sprung from merely superstitious beliefs. In the Vishwa Lochan Madan v. Union of India case the Supreme Court held that no institution which derives its strength from religion or is religiously sanctioned or sanctioned by religious or personal law, may act or issue directions or opinions (such as fatwa) in violation of basic human rights. Strongly, the court declares that faith cannot be used as a dehumanising force.

“The only thing that never changes is change” is an accepted fact that the society is always changing. Since law is formulated for the smooth functioning of the society, therefore law has to keep pace with the changing paths of the society by reforming and modifying itself. However, this changing process is not an easy one, but involves the fights between the powerful and powerless, rulers and ruled, religion and individuals. At this point, the question which encounters us is whether the social change is effected by law or the law is influenced by the social change? There is no clear-cut answer to the question. The relationship between social change and law is a two way process. But one thing is certain that the society has to be moved forward according to the development of our knowledge system, science and technology.

History proves that religion, faith, laws, rules, even democracy in the current form have been evolved

through these changing processes and slowly assimilated to the progress of knowledge acquired by the humans in each and every moment. As pointed out by Justice B.K. Mukherjee in his Tagore Law Lectures on Hindu Law of Religious Charitable Trust as quoted in A.S. Narayana Deekshshitutlu vs. State of Andhra Pradesh,

“The popular Hindu religion of modern times is not the same as a religion of the Vedas though the latter are still held to be the ultimate source and authority of all those held sacred by Hindus. In course of its development, the Hindu religion did undergo several changes, which reacted on the social system and introduced corresponding changes in the social and religious institution”.

**In various judgements,  
the Supreme Court  
upheld the pre-  
eminence of  
constitution over  
religious faiths and  
religious laws**

This observation is valid not only for Hindu religion, but also for every religions, customs and practices. This process might involve the rejection and reformation of the existing popular faith as evident from India itself. The transformation of society into the current situation involved the legal prohibition of certain religious and social practices which were against the natural justice and democratic rights of individuals. The banning of customary practices of Sati, untouchability, child marriage, etc. witnessed the intervention of law and judiciary to keep the society in the path of progress. Although, it was not easy to make people behave against the practices they followed hitherto, these interventions are considered as the milestones in the social reformation history of our country. The Shah Bano case underlies the reformatory role of court in which the Hon. Supreme Court states that the court has to assume the role of the reformer

because, it is beyond the endurance of sensitive minds to allow injustice to be suffered when it is so palpable.

The preamble of Indian constitution begins with the following lines,

*“WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:*

*JUSTICE, social, economic and political;*

*LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all*

*FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;”*

In the preamble itself we can observe the above narrated conflicting ideas: faith and social justice. Although the word religion does not occur in the Preamble of the constitution, the ideas of “Freedom of belief, faith and worship” as guaranteed by the preamble of the constitution are included in the broader concept of freedom of religion, as in India, religion is the major source and propagator of belief and faith. As Swami Vivekananda rightly pointed out, “Religion is based upon faith and belief”. Further, Article 13 of the constitution reads that

(1) All laws in force in the territory of India immediately before the commencement of this Constitution, in so far



*Mother holding baby in hand and raising slogans of gender equality*

as they are inconsistent with the provisions of this Part, shall, to the extent of such inconsistency, be void.

(2) The State shall not make any law which takes away or abridges the rights conferred by this Part and any law made in contravention of this clause shall, to the extent of the contravention, be void.

(3) In this article, unless the context otherwise requires,—

(a) “law” includes any Ordinance, order, bye-law, rule, regulation, notification, custom or usage having in the territory of India the

force of law;

Thus the provision (3)(a) reads along with provisions (1) and (2) of article 13 undoubtedly asserts the predominance of fundamental rights over the customs or usages. In our country, customs and usages are majorly evolved from faiths which have deep rooted link with religion as explained above.

Further, the “Right to freedom of religion” is included in the article 25 of our constitution. However, the sub clause (1) of Article 25 starts with the restriction applicable to this freedom by stating that “Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion. It should be noted that, this article guarantees equal rights to all citizens to practice and propagate religion, without affecting the public order, morality and health. This provision clearly implies that, when the religious faith of one individual undermines the right of equality of another individual to practice their religion, the court can intervene. The Article 25(2)(b) further says that, “nothing in this article shall affect the operation of any existing law or prevent the State from making any law providing for social welfare and reform”. Thus it becomes evident that the constitution itself recognises the power of law to carry forward reform process according to the social changes. An in-depth reading of this article thus reveals that the “Right to Freedom of Religion”, and thus

the “Freedom of Faith” of an individual is not an absolute one, but comes with reasonable restriction. In the case of A. S. Narayana Deekshitutlu vs. State of Andhra Pradesh, the apex court realises this practical difficulty in demarcating the matters of religion or religious belief practices from others. The court emphasises that every mundane or human activity cannot be protected by the Constitution under the guise of religion. Therefore, the Court, while interpreting Articles 25 and 26 should strike a careful balance between the freedom of the individual or the group in regard to religion, matters of religion, religious belief, faith, worship, religious practice or custom which are essential and integral part and those which are not essential and integral and the need for the State to regulate or control in the interest of the community.

The diversities of cultures, faiths and religion are the beauty of a democratic system. But at the same time state and judicial interventions in religious affairs and faiths are necessary for modernising the traditional society and bringing in social reform. This leaves a huge gap between theory and practice.

To bridge this gap the judiciary evolved the essentiality doctrine of religious practices, to decide on the religious matters in which the State and judiciary can intervene. For the purpose, the 7 judge bench of Supreme Court in Sri Lakshmindra theertha Swamiar of Sri Shirur Mutt Vs. the Commissioner, Hindu Religious Endowments, Madras case of 1954, introduced the doctrine of essentiality of religious practices to be the basis of protection of the freedom of conscience and free profession, practice and propagation of religion to manage religious affairs. As per this doctrine, only the essential parts of religion should be protected under articles 25 and 26 of the constitution. Since the faith is grounded in religion, when conflicts arise between the faith and the constitutional values, the fundamental challenge faced by the judiciary is to differentiate between the essential and non-essential factors of religion. In many cases such as Ismail Faruqui vs Union of India, State of West Bengal vs Ashutosh Lahiri, The Durgah Committee, Ajmer vs Syed Hussain Ali including the recent Sabarimala verdict, the Court relied upon the essentiality doctrine to resolve the conflicts. However, in

Sardar Syedna Taher Saifuddin Saheb V. State of Bombay case the court opined no demarcation can be classified as to which are essentially and purely of a religious character and those which are not essentially such. The Court held that it must vary in each individual case according to the tenets of the religious denomination concerned. Therefore, it was purely left with the court to decide upon what constitutes the essential religious practices. Thus in a broad sense the judiciary becomes the custodian of faith.

## **When conflicts arise between the faith and the constitutional values, the fundamental challenge faced by the judiciary is to differentiate between the essential and non-essential factors of religion**

In the latest two landmark judgements, the Supreme Court assumed this authority to place gender justice over the claimed customs and usages, when it encountered with the questions of popular faiths and constitutional morality; Sabarimala issue and the criminalisation of same-sex relationship under article 377. While the Sabarimala dispute is directly linked to religious faiths, the second case is not directly connected with the religion, but linked to the popular perceptions framed by the religious morality. In both cases, the Apex Court underlines the prevalence of constitutional morality over religious faiths and popular perceptions and asserts the role of judiciary in preventing discriminatory practices in the name of faith, religion and morality. Therefore, in a democratic system, following a written constitution and secular values, faith of an individual is limited by the constitutional values, and the Judiciary should act as the protector of the constitutional principles.



# The imprisoned campuses in the valley

AQIB TARIGAMI



*Children walk past paramilitary troopers in downtown Srinagar (Photo: Hindustan Times)*

Kashmir as we know has always been a turbulent political turf and due to lingering conflict, has always hogged limelight for all the wrong reasons. With the onset of violence in late 80's the student politics was virtually banned in Kashmir. The reasons were quite obvious that students may become great source of resistance and revolutionary ideas. While the national capital is busy debating freedom of speech at its premier institutions the student politics in Kashmir remained continueously unheard. The university grants commission in its guidelines, on the rights of students clearly entitles a student in any college and university "freedom of thought and expression" within and outside an institution and the university should allow space for the free exchange of ideas and public debates so as to foster a culture of public reasoning and questioning.

The UGC guidelines also entitles a student to form associations and unions. However, the callous nature and hardened stand of the government of Kashmir have violated all these guidelines. The interests of students in becoming part of student politics can clearly be seen by the recent protests by students in both colleges and universities on different issues of the state. Students feel the need of an active student activism at lower as well as higher

levels to raise their genuine concerns..

so, we are all aware of this fact that student engagement in political paradigm of every society is important, student groups often perform important functions in political system like mobilising and organising protests, petition or lobby for political change. There was a time when politics was associated with only middle-aged and senior citizens. But youth playing dynamic role in nation building especially in the developed societies in the world. It was the youth of France who led the freedom campaign of Algeria in the streets of Paris. In the 1960 the spread of education and the growing awareness about global events such as liberation struggle in Algeria against French, spawned a phase of student agitations

Banning Student politics by no means is an answer in a democratic society. The unions have many advantages and play a crucial role in forming policies of government in different countries. In modern democracies the representation of mass in general and the youth in particular is vital so it is necessary that every citizen should have a proper representation of democracy which vitalizes the role of student unions

A common Kashmiri student questions that when in Delhi and other states the student poli-



tics is flourishing, what hampers the practice in the state? Even the political theorists and scientists have repeatedly argued that democratic politics is not only about ritual of elections, political canvassing etc or appealing to dumb audience, but refers to dialectical environment of debate, discussion, dialogue and dissent. The intention is not only to bulldoze opposing ideas but recognizing rights of others to have different thoughts and ideologies than yours. The same should be the case for politics in universities, colleges and schools.

This is a grim reality that every government from Sadiq to qasim, Abdullah to mufti, since decades in Kashmir have tried their best to keep educational institutions apolitical and aloof from their deceitful politics and all shades of hypocrisy. Students life has been hit by the cycles of violence and shutdowns , with classes being suspended for weeks even months. However, for a generation who grew up in the most violent phase of insurgency and militarisation in Kashmir, learning terms like “crackdown,” “banker,” curfew, hartal, encounter, torture and Kain jang (stone war) did not require formal education. Students from Kashmir expressed the fear of being arbitrary locked up under PSA public safety act like some of their friends have been. The collective traumatic memory of this generation have created a monolithic and violent caricature of India as an occupying power... Students see their schools, colleges and universities as structures of oppression. Due to the immunity given by security forces they can enter any institutions at any time and create havoc in institution. Our thinking is preoccupied by wars, bloodshed, grief and horror all around. Just imagine a student attends school and while returning home got caught by the security forces on the pretext of stone pelting. Students are the worst suffers and it is the same people whose career lies in jeopardy. Ugly situation has brought education to standstill where there seems no signs of end to it. education of students in Kashmir is casualty.

The irregular system as well as constant conflict has pushed many students into depression and other mental health issues, while the rich and the powerful in the state conveniently send their children to high quality schools abroad, lower and middle class have no option but to suffer. Environment in

schools, colleges and universities is not conducive. Students often feel they are in jail rather than an educational institute. this kind of pressure sometimes pushes students to pick up gun or commit suicide. In this way the essence of true knowledge remains behind dark walls.

Kashmir is known for the worlds most militarised zone. A research study conducted by working group on peace, conflict and education at Colombia university in 2013 found that 79% of the military camps were at a distance of less than 1km of the schools examined. The presence of military camps near the schools had a negative psychological impact on students causes dropout rates. under these challenging and difficult situations students in Kashmir struggling to find good and conducive environment for their nourishment. in this ongoing conflict students are denied the opportunity to develop necessary social and mental development that can facilitates growth. Their minds remain always preoccupied by the things they face on daily basis in everyday life. They live in a situation where keeping a personal identity card in packet may determine their survival.

This restriction on student politics in Kashmir has come at a time when role of modern student activism movement vary widely in subject, size and success. According to political pundits, presently our legislature has become hub of amusement and quarrel. No parliamentary language is followed nor there is any respect for rule of law. This adversely effects the legislative process and academics. so promotion of quality student activism is the need of the hour. The need of the hour is to promote student union politics and allow student union participation, so that situation does not turn bad to worse..

The lack of an organised platform is one of the lingual and regional and other disparities in the state of j&k. An organised students activism can mobilize students not only in the valley of Kashmir but also in Chenab valley, pir panchal and the plains of Jammu. Students activism can bridge the gap between the mountains of ladakh and the meadows of Kashmir, it has the potential to connect rice fields of Jammu with the distant and remote parts of gurez.

# Garhwal University on the Verge of Chaos

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Universities, progressively are considered as battlefields where the ideas from diverse range compete, contest and produce the new ones. These ideas generated in any epoch are the product of contemporary socio-political and economic conditions vice versa. Marx had once rightly argued that the universities are like 'battlefield' and then Engels has amended the argument by labeling it a 'battlefield of ideas'. Of course, any university where higher education is granted; a variety of theories are taught, and philosophies are interpreted, has essentially to become a source through which ideas are to be battled and established. We as an Indian have hardly shaped our universities in a way it should look forward. In this largest democratic nation-states, we have quite a few institutions where education is imparted democratically, and of course, the institution like JNU is the rare instance where the students from almost all sections irrespective of caste, class, region, religion, race, and language found their voice and even can voice themselves. Although the institution is under the constant surveillance under the current BJP-RSS led nationalistic government, but despite all these State-sponsored disruptions institution has a proficiency to guard its democratic culture. But regrettably, if we look into the higher educational institutions in other states at the same time we find them in parlous state. Most of the universities aren't capable enough to stand for the ideas and the ethics which a university should stand for.

Let us get introduced with Garhwal University, established under the provision of Uttar Pradesh state university Act, in 1973. Soon after the partition of UP in the year 2000, this university comes under Uttarakhand state. Subsequently, under the Central University Act, 2009 it was upgraded as the Central University and is presently known as Hemwati Nandan Bahuguna Garhwal –A Central University (HNBGU). It is among the ten largest universities in India which has its three campuses, and more than 161 colleges/institutions affiliated to it. What is worth mentioning here is the university is currently examining around one lakh and sixty thousand state aided and self-financed students which are of course a matter of pride. But, when it comes to the functioning of the whole 'system' in Garhwal university I would say it is undergoing a severe administrative, academic and infrastructural crisis. In any national ranking, HNBGU has not achieved a satisfactory place yet. Nevertheless, recently on 29th March 2016, NAAC has accredited it as "A-Grade" Central University with CGPA 3.11 on four point scale, incredibly. Let us have a look at the whole process of the "grading" and you will find an unwise politics behind it. It is ridiculous to see that NAAC team was received by the university in the same way as we receive baratis in Indian marriages. Team members were garlanded, and sindur-tika was practiced on their foreheads. They were decorated in a way that we do it with fathers, grandfathers, uncles, and

aunts of bride and groom in Indian weddings. It was hard to imagine after visualizing it whether the 'peer team' had been constituted by UGC that had come to examine our university or was that some nuptial occasion. Every scarcity was either hidden or coated smartly, administrative failure was never displayed, and, the formalities that the university did to mesmerize the peer team, were much whimsical and strange on the hand, and condemnable on the other. It seemed the current research measures, parlous condition of the Masters' courses, functioning of grievance redressal cells, the availability of teachers in most of the departments, teachers'-students' ratio, the availability of departmental libraries, poor conditions in science faculties' labs, scarcity of both chemical and lab experts- everything was entirely excused while being inspected by so-called 'peer team'. Hostels are not connected to Wi-Fi except the few ones. And, the most insignificant thing that makes us all restless is the condition of the central library of the university, and it has its own story too. It is bizarre to see that there are two Cafeterias inside the campus but only one central library, and the cafeterias are bigger than the library. It can hardly accommodate up to 200 students at the same time. Students don't even know about worthy newspapers, magazines, and journals. Books of standard editions are hardly in stock. Earlier, the library remained open between 10 am and 5 p.m. with complete off on every Sunday and holidays. But fortunately, in the year 2017 for the very first time, the university got the research students from various other states who were experienced these circumstances in the previous universities. They got agitated after seeing this utter chaos of the university. They agitated against it for around six months and that resulted in an increase in the timing of the libraries for twelve hours in a day but with remaining off on Sundays and holidays. The university still doesn't have 24\*7-hour section of the library. I wouldn't hesitate to say that the 'issues are in the air' of Garhwal University. One might be thinking deeply about the reasons behind its terrible status quo- and, one of the sole reason of chaos noticeably is its administrative leadership. You would be surprised to know that its current Vice- Chancellor, Prof. Annapurna Nautiyal is not on the chair

by the institutional protocols. Many a time, her Vice-Chancellorship has been challenged in the honourable High Court, but she is still adamant and the case is in court. She is quite unaware of her functioning as a leader and is incapable of handling every single issue within the university. But, despite these incapacities, she shows enough vigour squelching any authority person as well as students on the basis of personal grudges. Once she made some allegations of her sexual harassment against some non-ideological brazen student leaders. In view of that one can imagine the prevailing condition of this institutional 'system' where there is no 'system' as such. The moment when these students/research students of outer states questions and challenges the dictatorship of staffs, they are bullied and beaten up.

**The system is quite biased on gender basis too. University issues the roll numbers to boys and girls separately. Girls and boys generally are not expected to sit together on the campuses hence you will never find a single bench on the campuses**

Recently, a Dalit research student Ramakhant Sethi was beaten up once by the then chief warden and then again by some members of the election committee constituted for the students' union election. We protested against it, and put the case forward to VC, DSW, MHRD, UGC grievance redressal cell, including the local police station. Nothing came out of it except compromises. Cases do not proceed further here nor are they redressed. On several occasions, the administrative and academic staff of the university bullied the protesting students on the ground that they [staffs] are lo-

calities and 'outsiders' are not welcomed here. The system is quite biased on gender basis too. University issues the roll numbers to boys and girls separately. Girls and boys generally are not expected to sit together on the campuses hence you will never find a single bench on the campuses. One has to keep in one's mind that the institution is one of the higher most of the state of Uttarakhnad. As I mentioned above more than one and a half lakh students are currently registered under this university. But, then imagine the future of these lakhs of the students when the whole system is in crisis and is facing a lacuna of administrative leadership. Now, I must remark here that apart from the administrative misgovernance, another adversity here is the masculine presence of non-ideological groups such as; Aryan, Jai Ho, USF and so on, who are far away from the students' issues, but ironically very active in the elections. The local BJP-Congress politicians, contractors, and mafias invest a huge amount of money in the elections through these non-ideological organizations. You might not have read about the recently held one of the alarming incident which raises several questions on our democratic setup. On 7th September 2018, the students' union election held in Garhwal University. Into 8550 student voters, 5300 voted, and ABVP candidate for the post of president won the seat by 73 votes. Jai Ho, whose presidential candidate lost the seat, expressed suspicion over the irregularities on the said post. Since then the second-winner student group agitated and demanded re-counting of votes which ABVP never wanted. Recounting dates was decided multiple time but ABVP did not let that happen. After five months of the election, recounting became possible on 18th January 2018 by applying section 144 of IPC, and 71 votes of ABVP on presidential candidate were found fake. Even, this much of misdeeds of the administration and the ABVP is not interrogated by students' organization nor by any university community. Now the big question arises, how it became possible that the same coloured and same size ballot papers found in the ballot boxes. How can it be possible without the involvement of administrative official and custodian of ABVP (BJP-RSS)? There was election committee, proctorial board to supervise the

whole process. SFI and DSO unit of the university had warned election committee twice in the write-up that things in the campus were going wrong. And consequently the anomalies were materialized. This election scam has not been investigated yet. Here, one must be astounded to know the student organizations openly distribute wine/ liquor, Saris (dresses) to girls, T-shirts to boys, organise breakfast, lunch and dinner in the expensive hotels for months to the attract students for votes. What makes me more anxious is, if today even universities are unable to systematize fair elections in their campuses how can one expect it in the other sphere of the country. While concluding the script, I would again mention that behind the whole institutional inertia, here is the complicity of varsity administration with non-ideological student groups, local politicians, and constructors who have constantly been pushing this university in a pit. I strongly urge that this anti-student nexus of all the above-mentioned groups must be destroyed. All the progressive students of the campus who stand for rights and justice must reject these non-ideological groups in the campus, and also have to fight against the incompetent administration and also shall have to demand resignation of inexperienced but quite an autocratic Vice-chancellor.



## **Delhi Chalo: Students to march to parliament on Feb. 18th**

All sections, except the corporates, of Indian society have registered their anger and protest over the extremely ill-treatment they have met with by the Narendra Modi government. Those sections are cutting across the categories such as farmers, workers, Dalits, religious minorities, teachers, unemployed youth etc. Students have been one of the worst affected sections in the country under the NDA regime. There have been a series of attacks, from multiple level and character, which have resulted, on the one hand, weakening of Indian education system and on the other sabotaging the very idea of education and its social responsibility.

The education, from the primary level to the higher education and research, have been shaped to an arena where only privileged are entertained to enter. The funds for public institutions have been cut drastically over the years. The premier public funded institutions such as JNU have even stopped subscribing important academic journals by citing the scarcity of fund. The central government have given green signal to start Self-financing courses in public universities and colleges, in the name of autonomy. On the one side seats have been reduced in higher education institutions while on the other there is a complete dismantle of reservation. All the declaration on education were either remained. The policies of centralisation, commercialisation and communalisation of education have reached to an unparallel level under the Modi regime. The federal character of Indian education is under severe attack, with initiating central policies without taking the peculiarities of each state and their representation in decision making into cognisance. These character of exams like NEET have led to a huge exclusion to the students from certain states such as Tamilnadu. The children in India belongs to the country which shares the largest portion of uneducated children in the globe. They are also part of the biggest share of the children live in hunger in the world, and India positioned at 100th on global hunger index. We have seen the infants are killed without providing oxygen at a government hospital in BJP ruled state. None of these have been addressed, instead a statue was build with 2989 crores, the amount worth to build two new IITs or 5 IIMs or one AIIMS. More statues are in the queue. The students of marginalised sections and historically oppressed communities continued to be the worst affected with these policies., and thereafter were forced to drop out in big numbers.

Nearly 9 crore children in India still don't go to school, the highest in the world. In Gujarat only there are 12000 schools, including 32772 government schools run by just one or two teachers. All the big announcements made by Modi did not move from their to actually benefiting the students in the country. The amount NDA government has spent so far for one of their big claims, Beti Bachao Bedi Padhao, is much lesser than the amount spent for advertising the same. And even the gender violence in campuses has also increased over the years. The government has budgeted only 3000 crore while the actual amount of scholarship owed to the Dalit students being 8,600 crore. Despite the massive backlog the centre allocated less funds to the post-matriculation scholarship scheme for 2018-19- the outlay reduced from 3347.9 crore in 2017-18 to Rs 3000 crore for the next year. Last month, the Madras high court has directed the Central government to allocate funds of arrears of Rs. 822.91 crore, upto 2016-17, to disperse the fund meant for SC/ST students under the post-metric scholarship, within two months. Instead of following the court order, they have brought a new regulation restricting the scholarship only to those who have cracked NET. This will lead to a further exclusion of the most oppressed sections from the higher education. 33% teaching posts are vacant in Indian universities with a gigantic portion of the reserved seats are also laying unappointed. There is also a serious threat of unemployment before the youth in the country. Rate of unemployment is highest in 20 years.

The promise of creating two crore job opportunities every year was forgotten immediately since Modi came to power, and the educated youth live in a condition of disarray. No rhetoric could mask the truth, India lives in a dangerous reality.

Communalisation have been another severe threat to the secular fabric of education system. Syllabuses have been changed drastically, under the BJP governments in various states, which replaced Science and history with myths and puranas. Historical facts are distorted and Communal questions are brought into exam papers. Distorting all due procedures and merit the Sangh parivar agents are appointed at the head of different institutions and universities. The culprits behind the institutional murder of Rohit Vemula are roaming free and JNU student Najeeb Ahmed, who was attacked by ABVP, is still untraceable. Campus democracy have been attacked heavily, and a sense of fear and surveillance was instilled in educational institutions, instead of an atmosphere of free speech, debate and discussion. With election is at the doorstep, the drama of labelling 'anti-national' have been restarted after a small gap. The latest episode of charge sheet against JNU students, on a clearly fabricated case, long three years after the politically motivated case was registered shows they have nothing else to show the world, but lies built on lies.

We have seen the people of all sections coming to streets against the anti-people policies of Modi government. All segments in education sector also have been hit hard by the same policies. After the historic protest marches of workers and farmers, the national capital will witness the rage of people in education sector on February 18th and 19th. Students will be mobilised from across the nation for a massive student march to parliament on Feb. 18th. There will be an intensive campaign throughout the country highlighting the issues of education as part of this 'Delhi Chalo' call by the left student organisations. Conventions and seminars will be held in all states rallying all democratic and secular sections. 'Save Education, Save Democracy, Save Nation' would be the central slogan of the campaign. The central demands of the march are

Establish a nation-wide fully state-funded and free Common Education System from KG to PG.

Increase government spending to at least 6% of the GDP and 10% of the central budget on education.

Enact Bhagat Singh National Employment Guarantee Act (BNEGA) to ensure guaranteed employment to all.

Stop communalization of education.

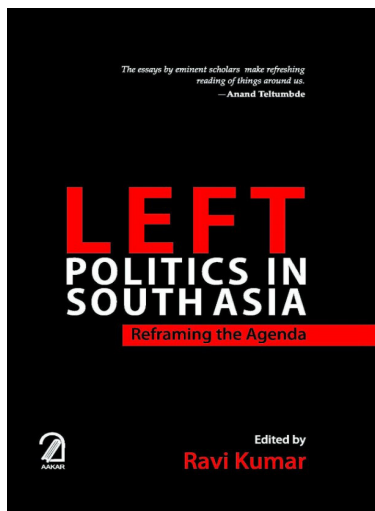
Implement existing reservations properly and ensure social justice in govt as well as private institutions.

Release the money for all pending scholarships immediately and establish more fellowships for research scholars from deprived backgrounds.

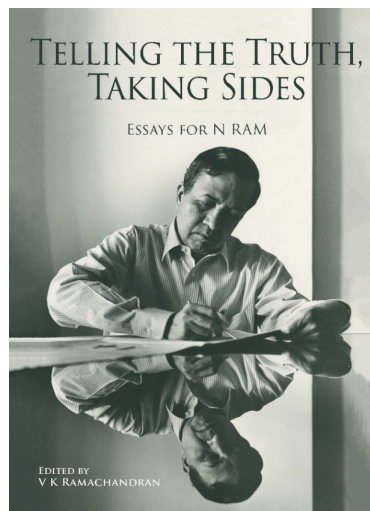
Protect federal character of education and resist centralization of education.

**SFI AISF AIDSO AISB PSU**

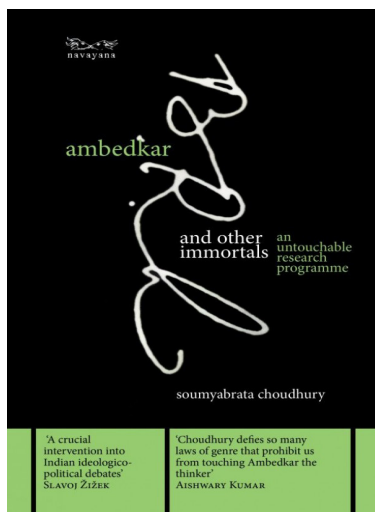
## New To Read



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Essays for Utsa Patnaik  
Edited by Arindam Banerjee,  
C.P. Chandrasekhar  
2018 | Tulika Books  
New Delhi

## Activities



*Leaders of Left Student organisations meeting press onward the Chalo Delhi march*



*SFI delegation led by the president handed over solidarity letter to Venezuelan ambassador*





*SFI foundation day celebration in Tamil Nadu*



*SFI Rally in Kolkata demanding students union elections*



*SFI festival of freedom in Kerala*



*K.V. Sudeesh martyr day rally in Kerala*



*V. P. Sanu addressing Andhra Pradesh State conference public meeting*



*Mayukh Biswas addressing Maharashtra State conference*



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Students battle the anti-student  
Modi government;  
Onwards to **#ChaloDelhi**  
Parliament march on **Feb.18**



# Chalo **Delhi**

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FEB 18